

CORPUS
SCRIPTORUM CHRISTIANORUM ORIENTALIIUM

EDITUM CONSILIO

UNIVERSITATIS CATHOLICAE AMERICAЕ
ET UNIVERSITATIS CATHOLICAE LOVANIENSIS

Vol. 217

SCRIPTORES ARMENIACI

TOMUS 4

THE PENITENTIAL
OF
DAVID OF GANJAK

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LOUVAIN
SECRÉTARIAT DU CORPUSCO
49, CH. DE WAVRE
1961

INTRODUCTION

Until recent years the *Xratk' kanonakank'* of Dawit' son of Alawik written in or near Ganjak at the beginning of the twelfth century remained in virtual obscurity. The few opinions that were expressed on the work in the 18th and 19th centuries were largely unfavourable. M. Čamčean considered it «chaotic and unintelligible»¹, and C. F. Neumann held it to be «eine Arbeit von wenig Wert ohne alle Ordnung und in so roher und verworrener Schreibart, dass man oft nur schwer den Sinn herausbringen kann.»² Y. Tašean dismissed it as consisting of «largely foolish matters»³ and nineteenth century Armenian literary histories treat it with little respect⁴. It is not possible to say that the criticism was altogether unjustified. At the beginning of the present century, however, in 1906/7, an article by K. Kostanean⁵ drew attention to the unique nature of Dawit' of Ganjak's work in the field of Armenian literature and to its historical importance in providing a trustworthy picture of the life and beliefs of the author's own time. In 1910 Ľ. Ališan cited a few passages from the *Xratk'* in his work on ancient Armenian religious beliefs⁶. Its significance for the history of Armenian law was discussed by X. Samuëlean in 1939⁷, and

¹ *xaṇixuṛn očov ew animast baniwk' : Patmut'iwn Hayoç*, Venice, 1786, t. 3, pp. 41-42.

² *Versuch einer Geschichte der armenischen Literatur*, Leipzig, 1836, pp. 162-3. Neumann adds : «Der Verfasser hatte, um seinem Werke Ansehn zu verschaffen, die Kühnheit es dem Buche der Kanones des Ozniars anzufügen», but this accusation is groundless.

³ *mec masamb xent'akan baner : Çuçak hayerên jefagraç matenadaranin Maxit'areanç i Vienna* (J. DASHIAN, *Catalog der armenischen Handschriften in der Mechitaristen-Bibliothek zu Wien*), Vienna, 1896, p. 656.

⁴ S. SOMAL[EAN], *Quadro della storia litteraria di Armenia*, Venice, 1829, p. 90, G. ZARBHANALEAN, *Haykakan hin dprut'ean patmut'iwn*, Venice, 1886, p. 639 (1st. ed. 1865).

⁵ *Dawit' vardapet Alawikay ordi, Azgagrakan Handêš*, Tiflis, 1906 (no. XIV), pp. 105-132, 1907 (no. XV), pp. 62-67, quoted by MÉCÉRIAN, *loc. cit. infra*.

⁶ *Hin hawatk' kam het'anosakan krônk' Hayoç*, Venice, 1910, pp. 395, 404, 414, 434 (refs. from ABRAHAMEAN, *op. cit. infra*, 1952, ix-x, p. 49, n. 1).

⁷ *Hin hay iravunk'i patmut'yun*, Erevan, 1939, vol. 1, pp. 74-75, 153.

subsequent literary histories have treated the work with greater favour⁸. In 1947 the fullest attention was paid to the work of the Albanian vardapet by J. Mécérian, who devoted to it a section of his *Bulletin arménologique — premier cahier*⁹ comprising a critical bibliography, a description of the six manuscripts of the work known to him, a summary of the various topics treated by the vardapet, and an appraisal of his position among Armenian legislators. In this article Mécérian stressed the need for an edition of the Armenian text and a thorough study of the work, a need satisfied to some extent in 1952 by the publication by A. Abrahamean of Erevan of the text of the *Xratk' kanonakank' in Ējmiacin*, the monthly magazine of the Supreme Catholicosate of the Armenian Apostolic Church¹⁰, a text on which the present edition is largely based¹¹. Very recently, in 1960, its importance for the history of Armenian biology was stressed by A. Tēr-Połosean^{11a}.

Of the life of Dawit', son of Alawik¹², we know very little. Kirakos of Ganjak states that like the priest Ark'ayut'iwn at whose request he wrote his work he was from the region of Ganjak (*yašxarhēn Ganjakay*) and he dates his death at one year after that of Yovhannēs Sarkawag, called Imastasēr (« the Philosopher »), said by him to have died in 588 Arm (A.D. 1139/40)¹³; this implies

⁸ M. ABELEAN, *Hayoc hin grakanut'yan patmut'yun*, t. 2, Erevan, 1946, pp. 62-64, H. THOROSSIAN, *Histoire de la littérature arménienne des origines jusqu'à nos jours*, Paris, 1951, pp. 145-146.

⁹ *Mélanges de l'Université Saint Joseph*, Beyrouth, t. XXVII (1947-1948), pp. 184-201.

¹⁰ *Davit' Alvka ordu kanonagirk', Ējmiacin* (« Etchmiadzin »), 1952, ix-x, pp. 48-57, xi-xii, pp. 56-67, 1953, i, pp. 56-62, ii, pp. 53-60, iii, pp. 51-63.

¹¹ *CSCO*, no. 216. Abrahamean's text is referred to there and below as Abr.

^{11a} *Biologiakan mtk'i zargacumq Hayastanum* [The development of biological thought in Armenia], Erevan, 1960, pp. 256-268. T.-P. mentions (p. 267) references to Dawit' in an article (not available to me) by G. G. Yarut'iwnean: *Nyut'er mankabarjut'yan drut'yan masin Hayastanum XI-XII darerum* [Materials concerning the position of obstetrics in Armenia in the 11th-12th centuries], *Ašxatut'yunner* of the section for the history of medicine and biology, Erevan, 1948, no. 1, p. 71.

¹² The « surname » Apar attributed to Dawit' by Somalean, p. 90, followed by Neumann, p. 163, is, as Mécérian, p. 191, n. 1, shows, due to a misreading of the adverb *makanunabar* as *makanun Abar*.

¹³ *Hamarawt patmut'iwn*, Venice, 1865, p. 66.

that Dawit' died in 589 Arm, that is, between 15 February 1140 and 13 February 1141. Vardan Arewelçi, also an Albanian writer, follows Kirakos¹⁴. Samuel of Ani, however, gives 578 Arm (1129/30) as the date of Yovhannēs' death, and 580 Arm (1131/32) as that of the «illuminating and holy vardapet Dawit' Alawkay ordi»¹⁵. Kirakos, however, further¹⁶ names Dawit' as one of those who in 588 Arm (1139/40) appealed to Grigoris, catholicos of Armenia, to arrange the election of a successor to the Albanian see which had remained vacant for eight years, so that there is no doubt, whatever the true date of Yovhannēs' death, that he considered Dawit' to have died about 589 Arm. Another fellow countryman of Dawit', Mxit'ar Goš, who provides more details of this occasion¹⁷, does not however record that Dawit' himself wrote to Grigoris, but says that «in the year 588 of the Armenian (1139/40) era a holy bishop Sahak from the house of the holy patriarch Lord Grigoris, catholicos of Armenia, came from Armenia at his [Grigoris'] command following the request and enterprise of the vardapet Grigor of our country [Kirakos : Grigor, son of T'ok'aker, of Ganjak] who was the pupil of the glorious and famous vardapet Dawit'». Mxit'ar names another pupil of Dawit', the vardapet Sargis, as a participant in the ensuing convocation held on 11 June 1139, but not Dawit' himself. One may perhaps assume from Mxit'ar's account that Dawit' was too old to take an active part in these affairs; it is not at any rate suggested that he was dead. 1140 is the date accepted as that of his death by Kostanean¹⁸, Samuëlean¹⁹, J. Mécérian²⁰, and others, and assuming that he completed his biblically allotted span, he would have been born around 1070.

¹⁴ *Hawak'umn patmut'ean*, Venice, 1862, p. 121.

¹⁵ *Hawak'munk' i groç patmagraç yałags giwti žamanakaç minčew i nerkeys*, Vałaršapat, 1893, p. 121. 1129 is accepted as the date of Yovhannēs' death by Vardan's annotator (p. 121, n. 3), Abelean, t. 2, pp. 533-536, and Abrahamian, *Hovhannes Imastaseri matenagrut'yun*, Erevan, 1956, p. 31.

¹⁶ *Loc. cit.*, p. 101.

¹⁷ See my article, *The Albanian chronicle of Mxit'ar Goš*, *BSOAS*, XXI/3, 1958, pp. 480-481.

¹⁸ *Loc. cit.*, p. 105.

¹⁹ *Op. cit.*, p. 74.

²⁰ *Loc. cit.*, p. 184, n. 2.

As the many passages in the *Xratk' kanonakank'* dealing with the relations between Christians and infidels (usually specified as Kurds) show, Dawit' lived his life in a time of troubles for his church and nation. The Christians were subject not only to the contamination of their food, vessels and holy places by Muslims, and the misfortune of seeing Armenian women become their wives, mistresses or nurses: the church might clearly at any time be threatened by what Dawit' calls «hopeless tyrants» (ch. 37), and attacks on Christians were not unknown (ch. 59). At the beginning of the twelfth century the only region of Caucasian Albania to preserve some independence was Xaçën, part of the ancient province of Arçax, and indirectly the *Xratk'* portray a medieval Christian community politically isolated from the rest of Christendom. From 970 to 1075, that is, for about a century prior to the date of Dawit's birth, Ganjak had been ruled by the Kurdish Shaddādids; after 1075 it was in the hands of the Seljuks, and the death of Dawit' closely coincided with that of Qara Sonqur, amir of Ādharbaidjān and Arrān at Ganjak, and the succession of Djawlī in A.D. 1140/41. For a period of some eight years preceding his death, the see of Albania had been without a leader. In the absence of responsible guidance, disorders would have multiplied, and although there is some doubt whether it formed part of Dawit's original composition²¹, ch. 97 seems particularly interesting in this respect. If the priests there criticized for various misdeeds²² fell within the jurisdiction of the Albanian church, it would have been the duty of the Albanian catholicos to discipline them, and any unsolicited comments on the part of a vardapet from Ganjak might not have been well received. It seems possible, therefore, that there was no Albanian catholicos at the time, and that the chapter was written between 1131 and 1139.

Dawit', then, although by no stretch of the imagination a second Solon, was born like him of troubled times, and his work is of considerable historical importance in affording one a glimpse of the life and mentality of the Caucasian Albanians around the turn of the eleventh to twelfth centuries, providing as it does much information on their everyday problems, their crimes and misdemeanours,

²¹ See Introduction to the Text, p. vi.

²² See below, pp. 70-73.

their ceremonies and superstitions. The vardapet's own purpose, however, was to compose a penitential book interpreting and elaborating Holy Writ for the guidance of priests in their duty of imposing penance or temporary excommunication on the erring, or, more precisely, to assemble a series of answers to a series of questions put to him concerning confession. A newly ordained priest like Ark'ayut'iwn²³ would be faced daily with confessions of misdeeds for which the existing canons gave no explicit guidance. Many of the chapters of the *Xratk'* must have dealt with specific cases (note the phrase *patahmanç ekeloç i zgušut'iwn* « events which have come to one's attention » in the title of some MSS) : how many cases of mothers falling asleep and stifling their children (ch. 40) or of children drowned whilst their father was getting drunk (ch. 39), for example, would a priest encounter in his lifetime? Abrahamean calls the work a *kanonagirk'* or « book of canons », but only one MS²⁴ is entitled thus, although some others in fact refer to it as the *kanonk'* of Dawit' son of Alawik²⁵. Dawit' of course, had no authority to promulgate canons and claimed none, and those manuscripts are more accurately entitled which refer to the work as *Harçumn pēspēs xostovanut'ean baniç ew patahmanç ekeloç* « Questions concerning various confessional matters and events which have arisen »²⁶, *Vasn pēspēs harçmanç (vasn) xostovanut'eanç xratk' zgušaçuçiçk'* « Admonitory recommendations concerning various questions on confession »²⁷, *Xrat kanonakan* « Canonical advice »²⁸ or merely *Xrat* « Advice »²⁹. One may note in this respect that ch. 70 is simply entitled *Xratk' kanonakank'*.

²³ The form *Ardarut'iwn* « Justice » in G is unique, and is not listed as a personal name in H. Ačaṙean's *Hayoç anjanunneri baṙaran*, Erevan, 1942. The name *Ark'ayut'iwn* is itself extremely rare, only one other example being listed by Ačaṙean. Was A. a real person, as Kirakos thought, or a literary device? At any rate, the « canons » give the impression of being real answers to real questions.

²⁴ Erevan MS no. 3562.

²⁵ Erevan MSS nos. 715, 487, 2576.

²⁶ FG, Erevan MSS nos. 241, 256, 649, 839, 2964.

²⁷ Abr. (translated a little less literally below, p. 1).

²⁸ K, Erevan MSS nos. 837, 7060.

²⁹ Erevan MS no. 931.

Xratk' or treatises containing practical advice to priests and laymen form a small genre of their own within Armenian ecclesiastical literature. V. Hatzuni, in his section on the « *Disciplina armena* » in *Studi storici sulle fonti del diritto canonico orientale*³⁰, classifies under *canoni privati* « those made by certain Armenian vardapets who wrote down that which they believed useful to the faithful, either on their own initiative or with regard to other sources. Their compositions did not have the authority of proper canons. Therefore they themselves called them *Instructions* (*Xratk'*), not canons. They may perhaps be considered as useful elements for the interpretation of authentic canons »³². Among those known to him Hatzuni includes the work of Dawit', which he describes as consisting of 97 chapters « which treat of moral questions and which represent in Armenian antiquity the most complete work in the genre »³². Examples of such treatises, some of which deal with matters touched upon by Dawit', are contained in Vienna MS no. 324, a *Hawak'acoy* « Collection » of A.D. 1305/6³³: *Xratk' k'ahanayic ew uxti mankanç ekelecwoy i kanonaç surb harç ew vardapetaç* « Recommendations to priests and the congregation of the children of the Church from the canons of the holy fathers and vardapets »; *Xratk' vasn srboç kerakroc i kanonaç surb vardapetaç* « Recommendations concerning clean foods from the canons of the holy vardapets »; *Xrat vasn xostovanut'ean* « Advice on confession » by Movsēs vardapet^{33a}; *Xratk' (vasn aniceal... diwin...)* « Advice (concerning the accursed ... demon ...) » by Vardan vardapet. The

³⁰ Fasc. VIII of the series *Codificazione canonica orientale - Fonti, Sacra Congregazione Orientale*, Vatican, 1932, pp. 141-168.

³¹ « Quelli fatti da alcuni dottori armeni, i quali detarono ciò che credettero utile ai fedeli, sia di proprio pensiero che attingendo ad altre fonti. Le loro composizioni non ebbero l'autorità dei propri canoni. Perciò essi stessi le chiamarono *Istruzioni* (*Khيراتک*), non canoni. Possono forse considerarsi come elementi utili per l'interpretazione dei canoni autentici. »

³² « Che trattano di questioni morali e rappresentano nella nostra antichità il lavoro più completo nel genere » (p. 167).

³³ See Y. TASEAN, *op. cit.*, pp. 769-770.

^{33a} See my article, *Movsēs Erzingaci's « Advice on Confession »*, *Le Muséon*, lxxiii, 1960, pp. 135-149.

³⁴ The text of this is taken from Vienna MS no. 256 in which it has a different title: *Kanonk' zgušawor k'ahanayic* (TASEAN, p. 654).

first item of the *Xratk' k'ahanayic*³⁴ beginning « it is necessary for priests to serve the body and blood of the Lord in cleanliness and purity » and the passage beginning « Concerning the careful administration of holy communion : if through carelessness he spills any of the holy sacrament upon the altar and nothing falls upon the floor of the dais, and it happen once, he shall do penance (*karg krescē*) 40 days outside » may, for instance, be compared with Dawit' ch. 24.

Most of Dawit's work consists in the elaboration of degrees of penance, that is, exclusion from holy communion, varying with the gravity of the sin and the age, estate (lay or clerical) and the intentions of the sinner, the severest penalty being deprivation of extreme unction, that is, total excommunication, as in the case of wives who poison their husbands (ch. 74). It is as difficult to determine the sources of the Albanian vardapet's rulings as it is to determine those of the penitential books of the Western Church. One naturally looks first to the canons common to the early church (e.g. those of the Apostles, the councils of Nicaea) and canons laid down by various native Armenian councils and patriarchs (e.g. those of St. Sahak the Great, Nersēs of Aštarak, the councils of Šahapiwan and Dwin). Most of these have been codified by A. G. Cicognani in his *Disciplina generale antica (sec. II-IX)*³⁵ and K. Amaduni in his *Disciplina armena*³⁶ and reference will be made to these works in the notes to the translation, a note « DG 172 » (for *Disciplina generale* ..., canon no. 172) or « DA 160 » (for *Disciplina armena*, canon no. 160) indicating that the said canon has something in common with the subject discussed by Dawit'; it is rarely possible to say more than this and to point to such and such a canon as the basis of Dawit's ruling. In their prescription

³⁵ Fasc. IX of *Codificazione canonica orientale - Fonti, Sacra Congregazione Orientale*, Vatican, 1933.

³⁶ Fasc. VII of the same series, Vatican, 1932. Amaduni has omitted as extraneous to his scheme those which he terms « the canons of the Alani » [!; the Aluank' or Caucasian Albanians], i.e. those of King Vač'agan and the Catholicos Simēon (see Movsēs Dasxuranc'/Kačankatuaci, *Patmut'iwn Aluanič*, I.26, II.11), preferring « col. R.P. Hatzuni di lasciarle nelle *Fonti incerte*, come fonti subsidiarie, che potranno servire a chiarire le concezioni antiche, insieme coi canoni, da lui chiamati *privati* » (p. 14).

of definite periods of penance for certain sins — e.g. DA 19 imposes 7 years' penance upon adulterers, DA 18 12 years' penance, of which 6 inside the church, upon adulterous spouses — they may have served Dawit' as models. But as they differ in detail among themselves, so Dawit' often differs from them : whereas, for example, DA 95 and 563 prescribe life-long penance for those guilty of bestiality or sodomy, and DA 96 15 years if the offence occurred after baptism and 25 years if after marriage, Dawit's ch. 56 varies the period of penance with the age of the sinner, prescribing life-long penance for those over 30 years of age. The canons attributed to St. Athanasius, extant also in Arabic and Coptic, and those of the Second Council of Nicaea deal largely with many of the sexual questions which occupy Dawit' so much, and the question and answer form of many of the former is that of the *Xratk'* in general; but Dawit's rulings differ from these : e.g. ch. 31 prescribes excommunication for anyone whose mind is constantly occupied by lewd visions and ignores the argument put forward by « St. Athanasius » that « if the devil tempted the man in order to keep him from holy communion, then he should commune; for otherwise the tempter, every time the man wished to commune, would inspire him with such passions » (DA 206). Dawit' also differs much from his Armenian predecessors : e.g., the Council of Šahapiwan prescribed fines for anyone consulting witches (DA 48, 49), while ch. 95 renders him liable to life-long penance. On some questions Dawit's outlook is strikingly individual. Whereas Nersēs of Aštarak (DA 439), following *Leviticus* 15, 19-24, holds menstruation to be unclean, Dawit' takes pains to show that it is not *by nature* unclean (ch. 67), just as in ch. 1, despite *Lev.* 11, 47, he considers all creatures, as made by God, good. This philosophy is that of Eznik³⁷ and is a way of thinking no doubt attributable to the age-old necessity in Armenia of refuting Iranian dualism. In the cases in point, the Vendidad held the menses to be sent by Ahriman (I.18-19, XVI.11), while creatures like frogs, snakes, scorpions, ants and mice were held to be his creation (e.g. *Sad dar*, XLIII.2)³⁸.

³⁷ *Be ałandoç*, I, 15, ed. Venice, 1926, pp. 69-71, tr. SCHMID, p. 57.

³⁸ See below, p. 00, n. 00.

The canons accepted by the Armenian Church had already in the eighth century been gathered together by the Catholicos Yovhannēs Ōjneçi, and an example of the sort of collection which may have been at the Albanian vardapet's disposal is that contained in MS no. 131 of the Monastery of the Holy Saviour at New Julfa, Isfahan, dated 657 Arm = A.D. 1098/9³⁹. It is not however possible to point to any specific work as the model upon which Dawit' based his penitential. He usually takes an independent stand on the matters which interest him and very rarely refers to other sources apart from the Bible, one of the few exceptions being found in ch. 23, where he mentions previous vardapets. It is most unlikely that he knew anything of the penitential books of Irish and Anglo-Saxon churchmen like Sts. Cummian, Finnian, Columbanus, Adamnan, Theodore and Egbert (6th-8th centuries) current in the Western Church⁴⁰. He is more likely to have known of the Greek penitential attributed to John the Faster, patriarch (as John IV) of Constantinople 582-595, whose works were translated into Coptic, Syriac, Georgian and Slavonic⁴¹, but we have no evidence that he knew of it; the styles of the two works are very different, but Dawit's general considerations in fixing penance, e.g. whether or not the sinner was over the age of 30, are largely in accord with those of the Greek author. It is most probable that the Albanian treatise was an individual and independent production designed to satisfy a local need, and the fact that there is no other work in Armenian of any magnitude which could be termed a penitential book adds to its importance.

One of the striking features of the *Xratk' kanonakank'*, if they are fully representative of contemporary practice, is the conservatism of the Albanian Church in matters of penance. A

³⁹ Described by MĀCĒRIAN, *op. cit.*, pp. 239-241. Later the work of Dawit' was itself included in such collections, e.g. Vienna MS (Mekhitarist) no. 256, a *kanonagirk'* of 16th-17th century, described by TAŠEAN, *op. cit.*, pp. 649-657, the *Xratk'* figuring towards the end of the MS, fols. 193a-221a.

⁴⁰ See E. J. HANNA, art. *Penance*, *The Catholic Encyclopaedia*, vol. XI, New York, 1911, pp. 632-633.

⁴¹ MIGNÉ, *PG*, t. 88, A. I. ALMAZOV, *Kanonarii monakha Ioanna, Zap. Imp. Novorossiiskago Univ.*, t. 109, ch. II, E. A. W. T. BUDGE, *Coptic homilies in the dialect of Upper Egypt*.

penance might be accompanied by genuflections, two kinds of fasts — *šrbapahut'iwnk'* and *šabat'apahut'iwnk'*⁴² — and sometimes hard labour (ch. 81) and was to be performed publicly first outside the church and then inside. This was a simplified form of the ancient Eastern system of public penance in which penitents were classified into four «stations», namely *κλαίοντες flentes*, who had to remain outside the church door during the whole liturgy, the *ἀκροώμενοι audientes*, *ὑποπίπτοντες substrati*, and *συστάντες consistentes*, who could attend part or the whole of the service but could commune only on completion of their penance⁴³. By Dawit's time the system of public penance had long been abandoned by the Byzantine Church⁴⁴ and the Western system of mitigated public penance was soon completely to be replaced by the system of private penance finally established by the Fourth Lateran Council (1215). Dawit' was clearly conservative in these matters, but it is possible that the «evil primates and priests» criticized in ch. 97 were applying a more evolved system consisting in the commutation of penance and possibly tithes, perhaps even in the sale of indulgences common in the Western Church in the twelfth century.

Although the *Xratk'* deal mainly with sins against the spirit, they do in places touch upon crimes and misdemeanours against society, and there the penalty most probably reflects the customary law of the time : kidnappers responsible directly or indirectly for the

⁴² The latter were fasts lasting a week (see M. ORMANEAN, *Cisakan bařaran*, Anthelias, 1957, pp. 50-51, s.v. *šabat'apahk'*), entailing abstinence from meat and animals foods (*ibid.*, p. 36, s.v. *com*) the equivalent of the abstention *a vino et carnibus* of the penitential of St Columbanus, *De poenitentiarum mensura taxanda*; the *šrbapahut'iwn* was possibly the equivalent of *com*, defined by Ormanean, as against *pahk'*, as total abstinence, the equivalent of the *poenitentia in pane et aqua* of Columbanus.

⁴³ HANNA, *loc. cit.*, p. 630, A. BOUDINHON, art. *Penitential canons*, *ibid.*, p. 636.

⁴⁴ By the fifth century, according to Hanna and Boudinhon, *loc. cit.* According to the Greek penitential mentioned, MIGNE, *op. cit.*, pp. 1911 D-1914 A, the penitents were to retire to the narthex with the catechumens on the celebration of the eucharist. In the Armenian liturgy before the celebration of the eucharist the deacon sings : « And ye who may not partake of the holy sacrament, go to the doors and pray », but this is no longer acted upon (see ORMANEAN, *op. cit.*, s.v. *gawit'* « porch », p. 100).

death of their victims are considered « guilty of murder and shall be put to death » (ch. 58), and, like the Paulicians, poisoners « are to have a fox branded on their foreheads and the sinews of their feet severed and are to be delivered into a leperhouse » (ch. 53). Not many chapters, however, are devoted to civil matters, although homicide is discussed in chapters 39, 40, 48, 58, 59, infanticide and abortion in 40, 48, 57, poisoning in 53, 74, theft in 79, usury in 83, prostitution in 75, and questions of responsibility in 39, 42, 43. It is clear that Dawit' is interested almost exclusively in the criminal's soul, not in his physical punishment. In the case of arsoners, for example, even those who cause the death of others (ch. 60), and in the case of thieves (ch. 79), only spiritual sanctions are prescribed. In some instances where the Christian conscience may be troubled by the discrepancy between the laws of God and Caesar, Dawit' even encourages the faithful to break the law, as in ch. 45, where the Armenians are encouraged to resort to lies and bribes in order to cover the retreat of an escaped slave. This advice reminds us that the civil authority in these Eastern regions was largely non-Armenian. The very ecclesiastical nature of the *Xratk'* makes one a little reluctant to follow Mécérien in attributing to Dawit' « le titre de 'précurseur' parmi les codificateurs du Droit arménien », « le premier codificateur proprement dit qui sera suivi de Mékhithar Kesch, de Sempad le Connétable, d'un anonyme cilicien du XIV^e siècle »⁴⁵. The *Xratk'* are not a code of canon law. We have already seen what the vardapet's purpose was. The work of a codifier would require a greater sense of method than Dawit' possessed and, one feels, a greater knowledge of previous canon law. However, Dawit' has been granted a place among Armenian legislators, and the cautious appreciation of his position by Samuëlean⁴⁶ is worth reproducing here : « This collection of Dawit' son of Alawik cannot truly be called a *datastanagirk'* »⁴⁷ still less an *ōrensgirk'* ...⁴⁸ It was apparently formed on the basis of Armenian canonical « norms » and largely consists of explanations

⁴⁵ *Op. cit.*, pp. 197, 198.

⁴⁶ *Op. cit.*, p. 75.

⁴⁷ Usually « lawbook », here probably « case-book ».

⁴⁸ « Book of laws », i.e. « legal code »!

and instructions of canonical « norms » and rules. However, considering on the one hand that this is the first attempt to form a collection of « canonical laws » with its special contents among which norms concerning the laws of marriage and punishment are to be found, and on the other hand that it enjoyed definite currency in Armenia in that Mxit'ar Goš introduced some of its articles into his *Datastanagirk'*, borrowing them word for word, we range this compilation by Dawit' son of Alawik in the ranks of national lawbooks (*datastanagirk'*), as an attempt at codification, though executed on personal initiative and for restricted circles». Elsewhere he calls the *Xratk'* « the first, though unsuccessful, attempt to compose an Armenian legal code (*ōrensgirk'*) », the second attempt being the *Datastanagirk'* of Mxit'ar Goš⁴⁹.

Among his fellow-countrymen Dawit' undoubtedly enjoyed great renown as an authority on canon law, and Mxit'ar Goš, although he did not name him as one of his sources, testified to this renown by drawing upon his work when compiling his own *Datastanagirk'*. Kostanean⁵⁰, followed by Mécérian⁵¹, has pointed to passages borrowed by him from Dawit' : e.g. *Datastanagirk'* I.111, 112, 114, II. 109, 110 correspond to *Xratk'* chapters 96, 35, 61, 41, 42 respectively. Kirakos, very generously, dubbed Dawit's work « a beautifully arranged and useful work on canon law »⁵², and Vardan Arewelçi, perhaps in accordance with the *Preface* of the *Xratk'*, where they are termed *diwralur* « easily heard or understood », describes his « canons » as *diwrahas* « easily intelligible »⁵³. That the work was and still is useful is undisputed, but if grammar, style and orderly method count for anything, it cannot be called either « beautifully arranged » or « easily intelligible », and Čamčean's description of its style as « chaotic »⁵⁴ is closer to the truth. In many places the text seems to be composed of rough notes and jottings rather than of continuous prose, and if one seeks to defend Dawit' by attributing

⁴⁹ *Op. cit.*, p. 153.

⁵⁰ *Op. cit.*, XV, pp. 64-66.

⁵¹ *Op. cit.*, p. 198-200.

⁵² *Op. cit.*, p. 66 : *kanonakan ōrinadrut'iwnk' gelečkayarmar ew pitanaču*.

⁵³ *Op. cit.*, p. 121.

⁵⁴ *Loc. cit. supra*.

the faults to later scribes, as Mécérian suggests⁵⁵, one must assume that the corruption began extremely early, for the earliest manuscript available, those of the thirteenth and fourteenth centuries like Erevan no. 5607, Venice no. 511, and Jerusalem no. 2481, reveal like confusion. It is true, however, that the work, considered of some practical importance, later underwent considerable editorial alteration⁵⁶. Čamčean says that «those who have copied it have added good and bad, omitting most of the useful material»⁵⁷. The work was often abridged⁵⁸, and examples of editorial additions are found in chapters 69 and 86 below, for example⁵⁹. An important additional canon is found in Erevan MS no. 648 (739): «But concerning the slaughter of animals by Georgians, let no one eat of their meat unless compelled by famine to do so; but wine tasted by them (? *t'eraxum gini*) shall not be rejected, except for use in communion. Similarly the vessels in which they prepare their food shall not be rejected, with the exception of those into which a mouse has fallen and those contaminated by the flesh of the hare. But let no one eat the bread of the Kurd, unless really compelled by famine to do so»⁶⁰.

Although Dawit' has taken no pains to classify the various matters of which he treats under distinct headings, some of the sequences of chapters — as they occur in Abr at least⁶¹ — fall naturally into groups. Thus, chapters 2-15 are devoted to the contamination and purification of vessels, clothes, etc., 16-21 to the relations of Christians with infidels, 21-25 (chapter 21 acting as a bridge), to the duties of monks and priests, 39-40 to the accidental death of children, 42-43 to accidents, 49-56 to sexual offences, 57-60 to homicide, 64-65 to the coupling of animals, 74-76 to impotence, 79-80 to theft, and 81-89 to irreligious acts on the part of laymen. But it remains a fact that Dawit' was not strong

⁵⁵ *Op. cit.*, p. 191.

⁵⁶ See the Introduction to the Text, pp. i-vi.

⁵⁷ *Loc. cit.*, p. 42.

⁵⁸ *E.g.* in Erevan MSS nos. 487, 652; see Introduction to the Text, p. iii.

⁵⁹ Pp. 50 and 61.

⁶⁰ See MÉCÉRIAN, *op. cit.*, p. 193, n. 2, and Introduction to the Text pp. i-ii for the Armenian text.

⁶¹ The order of the chapters, and their number, vary from manuscript to manuscript; see Introduction to the Text.

at logical arrangement. An attempt to group the various chapters under nine suitable headings has been made by Mécérian in order to give « une idée approximative et proportionnelle des matières », although he properly emphasizes the difficulty of grouping the chapters under general rubrics owing to the fact that « plusieurs canons, qui sont de bref traités, embrassent divers sujets »⁶². The index to the present volume will also provide the reader with an overall view of the contents of the *Xratk'*.

That Tašean's dismissal of the *Xratk'* as a collection of « largely foolish matters »⁶³ lacks historical perspective becomes apparent when one compares them with other legal works of the ancient East. Close parallels then make it very clear that the questions which seemed important and far from foolish to Dawit' had seemed so to other Oriental writers before him. Chapter 42, for instance, although I do not think that this is one of the matters considered foolish by Tašean, which makes the owner who is aware that he possesses a « stubborn mule, a kicking horse or one that bites people, or a goreing ox » guilty of the manslaughter of anyone killed by them possibly derives directly from *Exodus* 21, 29, but it is interesting to find the same question occupying the minds of the Babylonians : « if the owner has had notice that the ox is wont to gore and he does not cover its horns or keep it tied up, he must pay a fine »⁶⁴. The Hebrew and Babylonian codes mention only the ox, but like the *Xratk'* the Persian Zoroastrian treatise *Sad dar* specifies also the « kicking horse » : « ... it is requisite to restrain a tethered animal from misbehaviour and to keep watch over one's own creatures, especially at the time when they have eaten meat... For example, if a horse lashes out a kick at any one, the offence may be that person's whose food may be eaten and caused the offence... »⁶⁵.

The principal influence discernible in the *Xratk'* is the *Book of Leviticus*. Indeed, the reference to the guidance of the « new people of the Lord of Israel » in the *Preface* and the fact that the very

⁶² *Op. cit.*, p. 195.

⁶³ *Loc. cit. supra*.

⁶⁴ *The Babylonian laws*, ed. DRIVER and MILES, Oxford, 1952, pp. 441-2.

⁶⁵ XXIII, 1-3, tr. WEST, *Sacred Books of the East*, XXIV.

first question concerns *Leviticus*, 11, 46-47 may suggest that the author to some extent envisaged an explanation with regard to Christian practices of Hebrew law as contained in the Old Testament. Passages like *Leviticus*, 11, 29-40, which appear to be the prototype for the chapters on contamination and purification of vessels, clothes, food, were evidently not considered sufficiently detailed for practical purposes, a feeling shared by the compilers of the Mishnah. There are many parallels to be drawn between the *Xratk'* and this Jewish work, in particular the division *Tohoroth* « Cleannesses » with its subdivisions *Kelim* « Vessels », *Oholoth* « Tents » (re contamination by a corpse), *Niddah* « The menstruant », *Zabim* « They that suffer a flux », *Uktzin* « Stalks », and although the Mishnah is far more exhaustive, the method of and mentality behind the two works are very similar. Even the style is the same, as witness the following extract quoted from Danby's translation : « If an oven was divided [into two parts] by boards or hangings and a creeping thing was found in one part, the whole becomes unclean. If a broken down hive that was patched with straw hung down within the air-space of the oven, and had within it a creeping thing, the oven becomes unclean. If the creeping thing was found in the oven, food in the hive becomes unclean... »⁶⁶. A comparison of the *Xratk'* with Zoroastrian texts like the *Vendidad*, *Dādistān-i Dēnīk*, *Dēnkart*, *Šayist nē-šayist*, *Sad dar*, also reveals striking parallels⁶⁷. There, as in the *Mishnah*, is the same preoccupation with contamination by dead matter, etc., of vessels and garments of various materials, food, holy places, etc., found in Dawit's work. The distinction Dawit' constantly draws between contaminated wet and dry objects, which might derive directly from *Leviticus*, 11, 37.38, is found in Avesta V.7.35 (wet and dry corn) and *Šayist nē-šayist* II.18 (wet and dry wood). Other subjects shared by the Armenian and Iranian texts include intercourse with menstruous or pregnant women (*Xratk'* 67, 51, *Vendidad* XV.7.8, *Dādistān-i dēnīk* LXXVIII.4), drugs causing miscarriage (*Xratk'* 48, *Dādistān*

⁶⁶ *The Mishnah*, tr. by H. DANBY, Oxford, 1933, p. 614 (*Kelim*, 8, 1.2).

⁶⁷ The references below are to the translations of these texts in vols. IV, V, XVIII, XXIV and XXVII of the *Sacred Books of the East*, although the translations there could now be improved upon.

LXXVIII.7), intercourse with foreigners (*Xratk'* 16, 17, 18, *Dēnkart* VII.xxxi.7), « sins of making people eat bodily refuse » (*Xratk'* 74, *Dēnkart* VIII.xix. 3), excessive mourning (*Xratk'* 85, *Dēnkart* IX.xii.20, *Sad dar* XCVI.1). The mouse or rat to which Dawit' devotes so many words was considered unclean by *Leviticus*, 11, 29, but the *Mishnah* pays scant attention to it except as a stealer of corn and a polluter of the sin-offering water; the *Sad dar*, however, mentions it as one of the five creatures especially noxious and adds that « for every one who kills a mouse, it is as much good work as if four lions are killed » (XLIII.2.9). Although the preoccupations are similar, in detail the works most often differ: to take only one example, chapter 2 of the *Xratk'* provides for the purification of contaminated white meat, whereas the Pahlavi *Vendidad* VII.93 and the *Šayist nē-šayist* II.24 decree that there is no « washing », i.e. purification, of meat.

Although some coincidences between the Jewish, Iranian and Armenian books prompt speculation, the question of any fundamental interconnection between the laws there expounded, whether for example ancient Jewish law had an influence on the other two⁶⁸, is outside my competence. The *Mishnah* and the *Xratk'* largely derive from one source, the Old Testament, while the resemblances between the Zoroastrian books and the *Xratk'* recall Armenia's ancient cultural contacts with the Iranian world. Whether one can assume more than the existence of common traditions in these neighbouring areas, a common hygienic concern with what was *kāsher* and *patšaç*, i.e. with what was proper, must be left to others to decide⁶⁹. It is enough for our present purpose to show that even the seemingly most extravagant passages in the work of the Albanian vardapet are in accordance with Oriental tradition and not to be dismissed as « foolish » or, as Stroehlin, for example,

⁶⁸ Direct Iranian literary contact with Jewish sources is found in the *Škand gumānīk. vičār*, probably ninth century, which reveals a knowledge of the Old and New Testaments and the Qur'ān (WEST, SBE XVIII, p. xxvi).

⁶⁹ For a brief account of local Semitic beliefs concerning holiness, uncleanness and taboo with which the views of Dawit' have much in common, see W. R. SMITH, *The religion of the Semites*, Additional note B, reprinted New York, 1959, pp. 446-454.

attempted to dismiss the *Disputationes* of Thomas Sanchez, as a collection of « malsaines élucubrations » ⁷⁰.

⁷⁰ F. STROEHLIN, apud F. LICHTENBERGER, *Encyclopédie* [protestante] *des sciences religieuses*, t. XI, s. Sanchez. There are evidently matters in the *Xratk* which will seem distasteful to some. But the confessor has to do with men, not angels, and knowledge of Man in all his aspects is essential to him — so much so that Moses of Erzinga (*loc. cit.*, p. 146) goes so far as to say that in matters of confession « a sinful but knowledgeable man is better than a pure but ignorant one ». The vardapet was concerned that men should be pure and that only the pure should approach the altar of God; to this end he did not hesitate to name what he considered to be impurities. He would no doubt have agreed with Pascal: « il est dangereux de trop faire voir à l'homme combien il est égal aux bêtes, sans lui montrer sa grandeur. Il est encore dangereux de lui trop faire voir sa grandeur sans sa bassesse. Il est encore plus dangereux de lui laisser ignorer l'un et l'autre. Mais il est très avantageux de lui représenter l'un et l'autre ».

ADVICE GIVEN BY DAWIT' VARDAPET, SURNAMED
SON OF ALAWIK, ON VARIOUS QUESTIONS OF
CONFESSION

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* PREFACE TO THE BOOK OF CANONS¹

* p. 6

The terrible power [of God] being seen through holy meditation [stemming] from the foresight of the soul² and in accordance with the dictates of wisdom³ the fear of God is established⁴ in your
 5 soul for love⁵ of His commandment to posterity; by the constant acceptance of the seed⁶ of His commandment which remains⁷ secure and wholesome in fertile and fruitful minds, unadulterated [and] uniform [it has] conceived in awe, whereby, not remaining stillborn, spiritual works have been delivered [which have] then given birth
 10 to the Word of Salvation in aid of the studious⁸ who minister to practical conduct, first administering themselves morally and [then] ministering to those under them¹⁰; and as the rational have been called to lead irrational minds to reason, accordingly you too [have become] their disciple, and led¹¹ by them to reason, whereby
 15 providently consecrated and coming to maturity¹² when¹³ rebirth in Salvation was shewn by you, you received the holy order of priesthood and its guardian [the Holy Spirit], the * almighty, * p. 7 eternally-flowing, uninterruptible spring of Eden¹⁴, the four-tri-butaried¹⁵ celestial river flowing-from-[His]-heart¹⁶, from whose
 20 rays some shadow-dispersing and darkness-dispelling lightning [has] struck your mind¹⁷, wherefore you have become so studious as to

¹ The translation of this *Preface* is based upon the text of I. In my translation I have tried to put some order into a long and often obscure first period. ² *Lit.* ex animae praevisionibus. ³ *Lit.* secundum propositionem sapientiae vel scientiae vel cogitationis vel sensuum. ⁴ Reading *kaçeloy* as Abr., *lit.* « standing, being established ». ⁵ Reading *sēr* as Abr.; I *ser* « genus ». ⁶ Abr. « love ». ⁷ *mnaceloy* refers grammatically to *patuiranin* « commandment » (in gen./dat.); *mnaceal*, referring to *serm* « seed », seems preferable. ⁸ *Lit.* philologorum. ⁹ Reading *inawrineal* with Abr.; I *cneal awrinel*. ¹⁰ *Lit.* secundis. ¹¹ Reading *aceal* as Abr.; I *acel* « to lead ». ¹² *Lit.* « coming to the fulness or fulfilment of time ». ¹³ So I; Abr. « constantly ». ¹⁴ So Abr., *z-adenakan*; I *zardēnakan*. ¹⁵ A reference to the four gospels. ¹⁶ Cfr *Ioḥ.*, vii, 38 *getk' yorouaynē nora b'xasçen jroç kendanut'ean, ποταμοὶ ἐκ τῆς κοιλίας αὐτοῦ ῥέουσιν ὕδατος ζῶντος*. I know of no other example of the cpd. adj. *orouaynabux* = * *κοιλίόροος*. ¹⁷ *Lit.* constitutio mentis tuae.

enquire about certain details of the Word unnoticed by others but closely examined and comprehended by you and to ask me [concerning them]. And receiving power [to do so], I have found¹⁸ [the answers] to the parts of the Word in question, and have made them easily understandable that you might know them and digest 5 them and tend and guide aright the new people of the Lord of Israel, and that you might not lend your ears [alone] to my words, but should be inclined to apply them, first to indicate them by word and perform them in deed in your own self, and then to teach them by word [to others] and exemplify them 10 by deeds, and that the whole conduct of your life which is in Christ Jesus might be fully to the satisfaction of the will of God.

1. ALL CREATURES ARE GOOD¹.

And now, your first question asks why it is that some of God's creatures have been called clean and others unclean. 15

* p. 8 * Since God is good and all the things he gives are good, and the gifts sent down by the beneficent Father to his creatures are perfect, and since the archetype of good is God, his creatures were created good from good, as light from light. And God saw the light, that it was good, and lo! all things are exceeding good, and 20 there is nothing among them base by nature. This distinction between them entered the world after the transgression of Adam, when some were considered vile and others were chosen. Just as Adam bestowed fitting names upon all animals in accordance with their nature — and that [name he gave] remained an invariable 25 name for them^{1a} — so after his fall he was allowed [to distinguish between them] for his own convenience. In distinguishing laws necessary for the healing of his body's ills, he discovered the properties of plants so as to be able to choose the useful ones, and

¹⁸ Reading *gti* as I; Abr. *mti* « I entered (into the details of the Word...) ».

¹ According to Abrahamean's description of Ejm. MS No. 5607 the first question is preceded in that manuscript by a subtitle which reads : « Questions put to the holy vardapet Dawit' surnamed son of Alawik by the young (*hambak*) priest named Ark'ayut'iwn ['Kingdom'] concerning divers matters of confession and guidance in cases which have occurred and [which] he has answered exhaustively. Question : Why is it that some of God's creatures have been called 'clean' and others 'unclean' ». 1a Cfr *Gen.* II, 19.

in the same way he discovered which foods were edible and which were not. The wisdom of his soul indicated such things to him, for he observed that beasts which feed on dirt are inedible; reptiles are disgusting, and men do not eat that which disgusts them. God
 5 ordained that they might eat whatever they wished; he established that they should « eat the herb of the field »². That which has not received the nature [attributed to it by Man], God does not compel to be of such a nature, just as in that which concerns Himself, men have formed various impressions of the nature of God, yet
 10 He is still not one of them. They have called [Him] light, air, fire, a fountain, * a river³; they have even imagined Him by * p. 9 [applying to] Him the names of animals⁴, and He has accepted that He is such, and so has He named Himself without rancour, and manifests Himself by means of these epithets for the sake of
 15 what is acceptable [to Man]; how much more, then, does He accept with pleasure Man's own choices and confirm them by His commandments? The heathens, however, have not chosen to comprehend God as common sense dictates and to distinguish between God and His creatures, but turn and worship not God, Who is blessed for
 20 ever and ever, but His creatures. And He commanded the animals they worshipped to be eaten, and those which they ate were considered vile and unclean. The Egyptians worshipped hooved and ruminant beasts, and by mystical laws we are commanded to eat them and to bring them to His altar for His glorification; and
 25 that which the Egyptians ate is forbidden us by the law, for they were unenlightened. And reptiles, which they do not hold thus, are also not to be eaten, since Man chooses to consider them different from the birds of the air and [the fish] of the waters. Now, that which God has joined together and established in accordance
 30 with the nature of His Word, Man cannot put asunder; but that

² *Gen.*, III, 18. ³ Cfr Eznik Kolbaçi, *Etc alandoç*, I, 23. ed. Venice, 1926, pp. 102-103, tr. J. M. SCHMID, Wien, 1900, pp. 75-76 : « and it is not at all strange if they (angels and demons) are named after creatures near to us; for their Creator Himself does not disdain to take such names to refer to Himself to describe his various aspects »; the references which follow are to *Deut.*, IV, 24 (« fire »); *Micha.*, VII, 8; *Ps.* XXVI, 1 (« light »). God is called « the fountain of living waters » in *Ier.*, II, 13, but where is He specifically called « air » (*awd*) or « river » (*get*)? ⁴ E.g. « lion », *Iob*, X, 16.

which Man chose according to the dictates of his conscience so pleased God that He established this choice as law. He bore no ill-will out of jealousy for His Creation because Man distinguished between clean and unclean creatures, for note well, all things are exceeding good and there is no reason to designate any as despicable. But if we now approach that which is considered unclean by us and decreed as such by God, we pollute ourselves, and the unclean, coming into contact with the clean, pollutes it. Therefore, because a distinction is made by ourselves and also by God's commandments⁵, some things are said to be clean and others unclean.

* p. 10

* 2. CONCERNING A MOUSE WHICH FALLS INTO SALT.

Now, you have begun your questions concerning the small, worthless, thieving, nibbling mouse, a dweller in a hole in the wall, a creature armed against us¹ not with chariots and caparisoned steeds like those employed by Pharaoh against Israel nor with weapons and cataphracts, but a thing which is a greater menace dead than alive, its danger being confirmed by its actions, for it moves about with great caution, as though seeking to harm us by its death; on this account we greatly fear its death, which comes upon it stealthily and surreptitiously, as it were itself a mouse. As one of the many things against it you have mentioned its contamination of salt; your question is a good one, for all the insipid things which exist are savoured by it.

Now if the mouse has fallen into the salt, determine, brother, what is polluted and what is not, for should it have perished on top of rock salt, it is to be removed together with the salt where it has lain, the area around it is to be washed, and in this way it is purified and fit for use. If it has fallen into less than four or five litres of dry, ground salt, everything, including the pot, is to be thrown away. If, however, more than ten litres remain uncontaminated, one shall throw away the quantity already mentioned and clean the rest. Thus if the vessel is dry; if, however, it is damp, it shall be removed and examined by experts. If while

⁵ *Lev.*, x, 10; xi, 46, 47; xx, 25 etc.

¹ Lit. 'whose opposition is armed against us'.

the mouse is still in it or not one should unwittingly pour some of the salt into the cruet and then discover what has happened, the utensils and the pot shall be cast away. If it should afterwards be eaten by a priest and his family, they shall be excluded from the
 5 holy sacrament for eight days under the rule [of penance]; in the case of * laymen, 5 days, and they are to repent on their knees * p. 11 for 100 days. If the offender knew and recklessly paid no heed to it, he shall fast for 40 days [and repent on his knees for] 100 [days]. If any maidservant does this for fear of her mistress, she shall fast
 10 for 20 days, and the polluted vessels shall be destroyed. If it falls upon dry meat, two or three [parts] are to be thrown away together with its feathers² and the others washed. Know that you must deal with dry meat in the way that has been described for salt. If the mouse [falls dead] on a leather-covered or luted
 15 oil-jar or on a luted wine-bottle containing no wine, the vessels and their contents are free from contamination. If the vessel is empty and cracked, one shall treat it like the dry vessel [mentioned above]. If the mouse falls in and gets wet, all is to be destroyed. In the case of flour or wheat, one shall do what is prescribed for
 20 ground salt. If the mouse is found in the oven, do not destroy the oven on this account, for such precaution would be excessive. If it fell in while the stove was alight, no bread shall be baked in it that day. If the bread is in the oven when it falls in, it shall be given to the dogs. If any other animals fall in and die, whether
 25 they be clean or unclean, the oven shall be destroyed to its foundations; but if they are found on top of the oven or in the hearth, they and all other [vessels contained in the oven] are harmless.

3. CONCERNING A CUP OR DISH OR LEATHER TABLE-COVER.

If the mouse is found on a cup or a wooden dish or any other
 30 utensils which are in use, the wooden ones shall be scraped and the earthen ones washed. If it falls inside, the wood shall be burned and the earthenware destroyed; * vessels of iron, copper, silver * p. 12 and gold, however, shall not be destroyed, but only heated by fire,

2 « Dry meat » (*çor mis*) means « white meat », i.e. the light-coloured « bloodless » meat of poultry.

whereupon they shall be clean. If it falls on leather or sackcloth in which there is food — fish, bread, fruit, or any edibles whatsoever — the food is not to be destroyed, but the sackcloth is to be washed; if it is found inside quite dry, one shall pour away from the place where it is found a measure of 3 litres; a further part 5 shall be given to the poor, the rest is for general consumption, ecclesiastics excluded. If the leather is wet, the food shall be destroyed and given to the dogs to eat. If the mouse is found on walnuts, these shall not be destroyed; if on the uncovered contents of a vessel, one shall proceed as in the case of salt and wheat and 10 flour. If it is found on ground seeds or linseed, the vessels are to be destroyed and the other things which have been contaminated in them. If it is found in the process of tanning, the vessels are all to be destroyed and the skins washed and used by the generality, ecclesiastics excluded. If, however, the skins have not yet been 15 tanned, they shall be tanned with it; but if it is found on a dry skin, this shall be discarded. If it is found on a dress, this shall be merely washed whether it is made of wool or linen.

4. CONCERNING CONTAMINATED FOODS.

But if any should unconsciously eat or drink of contaminated 20 food or drink, a priest shall remain 8 days outside the holiness of the sacraments and shall then commune, and laymen shall fast 5 days with 100 genuflections. If it is done consciously, the priest shall be dismissed from his orders, but because of the love of God for Man, he [may] repent for 2 years with one rigorous fast 25 (*sr̥bapahut'iwn*) and one weekly fast (*šabat'apahut'iwn*)¹; and the
 * p. 13 layman [shall repent] for one year * with one weekly fast. One shall do likewise in the case of food and drink profaned by dogs, as we have said above in the case of contamination by a dead mouse. 30

5. CONCERNING [FOOD] EATEN BY CATS.

If a cat has profaned [anything contained in] a leather bag, one shall draw off half a litre, give a part [of what remains] to the

¹ See *Introduction*, p. x, n. 42.

poor, and the rest is clean. If a mouse [does this], it shall only be scraped deeply. But if a cat catches a mouse and eats it on a barrel or another vessel made of wood or earthenware, one shall do outside and inside what is prescribed in the case of a dead
 5 mouse. But if a dog or a cat gives birth in the vessel, it is totally spoiled. If a mouse dies on dry vegetables, if there is a large quantity of them the top [ones] shall be removed and the rest shall be clean; but if it [died] in the middle of them, all shall be discarded. And if dung is found in cabbage, that around it shall
 10 be discarded and the rest is clean. If a cat or a dog gives birth in it and the vegetables are great in quantity, most shall be discarded; if small in quantity, then all of them [shall be discarded]. And if a dead [animal] is found among them, they shall not be eaten. But the dog and the cat [are not to be treated] in the same
 15 way, but a distinction shall be made according to one's own discretion. But if any should kill outside a mouse that has entered inside the vessel, [or] if a cat, having caught the animal inside, should bring it out and eat it, the vessel is clean. If a dog or a cat urinates on the outside of the vessel or fouls it, it is clean;
 20 but if the contamination should take place inside [the vessel], a small vessel shall be destroyed; if a jar is cracked, it shall be [treated as] a dry vessel.

6. CONCERNING A MOUSE WHICH FALLS INTO A WINE-PRESS.

If a mouse falls into a winepress and [is found] in any wet
 25 vessel, [such] shall be destroyed * and rebuilt; but if the animal, * p. 14 having died while dry, be found on a dry spot, the surrounding area shall be removed, the surface treated with lime and then repaired. If the mouse falls into the vessel from wet wood, the whole shall be destroyed; if it should thus fall into a dry vessel,
 30 this shall be put to other uses and not used for wine for holy communion. If it falls into the vessel from the stone when there is no wine covered by the stone, the stone shall be removed and turned, and other stones shall be fashioned and polished, and these are unexceptionable. If, however, the vat into which the mouse falls
 35 contains wine, this shall be poured away, the vessel demolished and the stones put to other uses; but if this proves impracticable

and the stones are heavy, they shall be deeply scoured, turned and repaired. If the vessel has been prepared beforehand and is full of earth, it is unharmed, by God's will; if the top half be empty, it shall be scoured, and that which is full [of earth] shall be merely washed. If a mouse is found on a bunch of grapes, one shall apply 5 the same procedure as for that which is wet, as has been written above. If a mouse is found in a leather bottle and someone unknowingly brings it to the winepress and fills it by means of a vessel which touches the mouth of the bottle, this vessel and the wine remaining in the vat shall be discarded; and one shall not use 10 this wine for communion and communicants, since it is unclean, but it may be used outside [the church] as one will; and the vat shall be clean, but the vessels polluted by the bottle shall be completely destroyed. In the case of a Kurdish leather bottle [polluting the vessel], however, the canons are more lenient: the wine and 15 the vat shall be dealt with as above, and the vessels from which the wine is poured shall with a curse be used outside [the Church], and not for holy communion and for communicants. And a bottle * p. 15 with split leather * shall be considered a case more serious than that into which a mouse has fallen; and other smaller polluted 20 vessels of Kurdish leather shall be destroyed more [ruthlessly] than those into which a mouse has fallen.

7. CONCERNING A MOUSE WHICH FALLS INTO THE OVEN.

Again concerning the mouse, for its evil is greater than that of anything else. If it falls into the oven or another installation 25 or into a pot, and on them, or any other vessel, these are unharmed. And if other smaller vessels are inside that oven or other vessel in which the mouse dies, these, whether they contain cheese or cooking fat or whether they be made of leather, are unpolluted. But if a stone vessel or [one made of] another [material] rest mouth-down- 30 wards upon the vessel which is defiled, these also shall be discarded; but if they rested on their base, they are unharmed. If a *mrālīz*¹, a

¹ So L; Abr. *mrulīz*, F *molez*, GI *mrtiliz*, H *mittiz* (? for *mrtiliz*). The only reading that makes immediate sense is that of F, i.e. *molez* «lizard»; the forms of this word vary considerably, *molēz*, *moliz*, *moloz*, *mulēz*, *molēs*, *mayalēz* all occurring (see *Nor baḡaran haykazean lezui*, Venice, 1836-1837, s.v. *ሰጣጊ*).

millipede, or an earwig, which are reptiles without blood, that is beetles, fall into a jug of wine or milk or whey in the vessel, these and their containers are unpolluted; but if one has no appetite for them, let them not be eaten, for such is meanness.

- 5 8. CONCERNING THAT WHICH IS CAUGHT BY A WOLF OR A DOG,
OR IS SHOT WITH AN ARROW, OR WHICH HAS FALLEN INTO A PIT,
ETC.

Concerning that which is caught by a wolf or a dog : if it is caught alive and then killed, it shall be used, for it is undefiled
10 except for ecclesiastics, priests, and likewise communicants. Game shot by arrow, or * anything trapped and found unbreathing in * p. 16 a pit shall not be eaten or approached at all¹. Let no priest² or woman go hunting³; and if a hunted animal is found [by such], let them not slaughter it; if they dare to do so, the dogs shall
15 devour it. But a fish caught by a priest may be eaten, for this is written with regard to wild animals, whereas [the fish] is a domestic animal.

Pre-Linnaean zoology being what it is, it is not perhaps valid to object to this reading on the ground that a lizard is not a beetle, but it looks like a *lectio facilior*. In the case of the other variants, it is difficult to determine whether the third letter was originally *u* a, *u* u, or *u* t, these three characters each being notoriously prone to confusion with either of the others. If *mraliz* be the true form, *m.r.* recalls Pers. *mūr* « ant », and *mār* « snake »; cfr *tīrmār* « earwig »; also *sūsmār*, apparently applied to both a lizard and an insect, apud E. G. BROWNE, *A year among the Persians*, 2nd ed., Cambridge, 1926, p. 421. *-liz* recalls Arm. *aralēz* « Lecktier » of Eznik I, 24, 25, tr. SCHMID, pp. 79-80, Pers. *pālīs* « foot-licker » in BROWNE *op. cit.*, p. 180, Pers. *līz* « slippery », root of *līzīdan* « to slip ». It may be some sort of ant (for which the normal Armenian is *mrjīm*, *mrjiwn*), like the *marōiš* mentioned among the five particularly obnoxious creatures in the *Sad dar*, ch. XLIII, translated by West (*Sacred Books of the East*, XXIV) as « the ant (that flies) ».

¹ Cfr *Lev.*, xvii, 15. ² Cfr DA 189, DG 220. ³ Cfr Ch. 71. The authority for these prohibitions on hunting is obscure. Other codes forbid hunting in certain circumstances (*Mishnah*, *Shabbath*, I, 6, *Šayist nē-šayist*, viii, 3, *Qurʾān* V, 96, 97) but the reasons behind the prohibitions differ in each case.

9. CONCERNING CLEAN ANIMALS WHICH DIE AT BIRTH.

If a clean and edible animal dies at birth, it shall not be rejected; but it is not proper for priests to eat it, and if any does so, he shall not perform mass for 8 days under the rule¹. Likewise, if any should undertake to save the newly-born animal and it dies 5 again, it shall not be rejected, but may be eaten by the generality, but not by ecclesiastics. If [when an animal is] slaughtered one should find a breathing foetus inside, it shall not be eaten, for this is gluttony. If its time comes and the animal which bears it dies while giving birth, the live animal shall be taken out and slaugh- 10 tered; and if they use it, this is in order, for it is not unclean.

10. CONCERNING INFIDELS WHO TOUCH OUR FOOD.

One shall not eat bread handled by an infidel nor drink wine or water tasted by them. Priests shall not drink anything left over by them or which their hand has touched, and this shall not be 15 used as a holy offering. If there be a large quantity, it shall be used outside, and if there is but little, it shall be poured away. * p. 17 Likewise milk and whey, these shall also * be poured away. If they should take meat, cheese or oil, that which has been handled shall be cut out and the rest washed and eaten. One shall not eat 20 anything given by them — bread, cheese, meat, vegetables, grapes, and wine — except for those [fruits] which are in shells [or rinds] : walnuts, pomegranates, and melons, etc., and those things which are used to heal the body, apart from theriaca and other filthy drugs. 25

11. CONCERNING INFIDELS WHO PICK GRAPES.

If an infidel picks [the grapes] with his hand, and above all if he tramples them or breaks them with his teeth, the bunch of grapes and the rest shall be brought inside. Now, none of the trampled grapes should be supplied for the needs of Christians, but if they 30 are informed [of the facts] they may be sold to them; the grapes

¹ FGL *kargacut*eam̃b*; Abrahamean's amendment to *karga[lucu]t*eam̃b* is erroneous.

picked by hand and the remainder of the food shall be thrown inside [? i.e. accepted], but the priests shall in no wise drink of them or use them as a holy offering, but they may be used outside as one will.

5 12. CONCERNING THE USE OF THEIR VESSELS.

It is not at all proper for a vessel used by them to be used for our needs. And if any food or meat of theirs touches a vessel of ours, this is wholly to be condemned. If [their] bread is eaten out of a vessel of ours on one occasion, this may be put to further use after it
 10 has compulsorily been washed. If one unconcernedly and habitually [suffers them] to do the same many times, the vessel shall be destroyed and not used. If an infidel's hand touches our flour, it is not to be condemned * for the generality, but it is not to be * p. 18 used for holy communion. If [the infidel should touch our] wheat,
 15 this is not to be condemned, for we may buy wheat from them; their flour, however, is to be condemned; but if [the use of their flour] is unavoidable, it shall be excluded from holy communion, but otherwise used.

13. CONCERNING AN INFIDEL ENTERING A CHURCH.

20 If the infidel enters the church without committing violence, one shall sprinkle water over it and sweep it to where his foot or hand has reached, and one shall read the prophets and apostles and the gospel in the polluted temple and afterwards say a prayer. If they enter after the service, one shall do likewise. If the infidel should
 25 mount the dais by force and enter contemptuously, one shall apply the same rule, but one shall not celebrate mass on that day. If he approaches the vessels used in communion and touches the inside and outside with his hand, if it is a valuable vessel it shall be washed and reconsecrated with holy oil and then used for the
 30 sacrament; but if it is a small vessel of little value, it shall not be used for the sacrament, but another shall be used in its place. If he touches a sacred vestment, it is not to be discarded. Similarly, if any other animal, clean or unclean, enters the church, the same rule shall be applied if it happens during the night, and mass

on the [following] day shall not be cancelled. If it enters during mass, it shall be discontinued; if it touches the cruet or the chalice, these are not to be discarded, but if it touches the platter for the consecrated bread (*tašt nšxaraç*), this shall be scraped. If they take up their abode in the church, it shall be reconsecrated; 5

* p. 19 if the altar is moved * and overturned, one shall apply the rule pertaining to a moved altar and set it up again, but not without [consecration by] a bishop.

14. CONCERNING A MOUSE WHICH FALLS INTO A BEEHIVE.

Again about the mouse : if it falls into a beehive alive, no harm 10 is done. If it falls in at the entrance for the bees and remains on the floor [of the hive] out of reach of the honey-comb, the extremity of this shall be cut off and the rest eaten; if within reach of the extremity of the honey-comb, the whole of it shall be discarded. Similarly if it lodges between two opposite honey-combs [? one 15 shall cut off the contaminated surface] and eat the rest, excepting ecclesiastics. If the mouse die outside on top of the hive, it is inoffensive for all.

15. CONCERNING WATER ENTERING A [WINE] JAR.

If water is introduced into a jar of wine : if it is water from a 20 stream flowing in the street and it is taken from the surface on this stream, the wine shall be used for the generality, but not for holy communion and communicants.

16. CONCERNING AN ARMENIAN WOMAN WHO LIVES WITH A KURD

[AND WILL NOT SEPARATE FROM HIM] FOR THE SAKE 25
OF CHRISTIANITY ¹.

If an Armenian woman, being a Christian, lives with a Kurd ² and will not separate from him for the sake of Christianity, let

* p. 20 no priest or layman commune with her, * let no priest hear her confession or baptise her children or administer the sacraments 30 at the hour of her death or perform a mass after her death or

¹ Cfr DG 484. ² I < a Turkish husband >.

accept her gifts. If any dare to circumvent the canons out of greed or fear, he shall be cursed and dismissed from his orders. But after her conversion and repentance, it is proper to receive her and all hers [her children] into the church and for all to commune with her without discrimination.

17. CONCERNING A WOMAN WHO DWELLS WITH A KURD.

Concerning a woman who has been with a Kurd, if in life or at death she repents and leaves him and becomes the wife of an Armenian : if previously she has not been the wife of any lawful person, or if she has been such and thereafter dwelt with a Kurd, she is considered to be outside the law, for that is held to be fornication. If thereafter she mends her ways and becomes zealous for purity, it is proper to marry her and not to reject her on account of the previous unclean life she led with infidels.

18. CONCERNING A WOMAN WHO FORNICATES WITH A KURD.

If a woman fornicates (*šnay*) with a Kurd [or] with a Sodomite, if it be by her own inclination, she shall doubly repent of her sodomitic fornication; if she is found unprotected and is violated by either of these two evil men, or if a maidservant or a manservant [is violated] by their master, they are innocent. But for the sake of purity they shall repent for 3 years; a man is considered more [culpable] than a woman, for a man has the means of freeing himself.

* 19. CONCERNING THOSE WHO VOLUNTARILY GIVE THEIR DAUGHTERS TO INFIDELS¹ * p. 21

There are Christians who voluntarily give their daughters as wives to infidels for the sake of the life of the body. Likewise [there are those] who sell their children into unbelief and corruption. May such be cursed in life and death and unworthy of extreme unction.

¹ Cfr DG 486, DA 409, 410, 413.

20. CONCERNING THOSE WHO FEED THE CHILDREN OF INFIDELS
AT THE BREAST.

It is not proper for a Christian woman to feed the child of a Kurd at her breast, for that milk was made pure in the baptismal font. It is proper to give drink to their adopted children, who have been baptised, reborn, united in Christ. If any has done this (the former) once or twice in ignorance and has repented, she shall do penance for one year; but if she does this habitually, unconcernedly and unrepentantly, she shall be cursed and cut off from the whole church.

10

21. CONCERNING THOSE WHO ACCEPT THE CHILDREN OF INFIDELS
FOR BAPTISM.

Again, there is a custom among priests to accept the children of infidels for baptism¹; such are ignorant of the mysteries of God, and do not know that we were baptised in the death of Christ and by baptism are buried with Him. But they who are baptised by us in this saving mystery like us are not baptised by conviction, but are baptised, thinking it to be some devilish witchcraft for the protection of their persons². * Therefore it is not proper to cast the ineffable mystery of the Word before those who mock us with this redeeming sacrament; certain [priests], however, devise some imperfect [form of baptism] and merely sprinkle water on their bodies, with the object of escaping from supreme and great punishment. We are, however, commanded to confess boldly before heathens; hence, let no one do it, for it is deception. But if anyone performs the full rite of baptism over them in our fashion, he shall be dismissed from the orders of priesthood and shall not celebrate mass. If any does this once, he shall remain 5 years outside and 2 inside and may then commune, but shall not celebrate mass. If any does the same with unconcern, he shall repent until death and shall [then] commune.

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At the time of our baptism, the women shall stand aside from the holy font³, as from the holy mystery. Likewise is it proper to keep penitents outside, like infidels, that they may not see with

¹ Cfr DA 66 , 82. ² K adds « from evil demons ». ³ Cfr DA 62.

their eyes or hear with their ears the words of the holy mystery. No penitent shall be a godparent, certainly not any woman⁴; but the godfather shall be [chosen] from men, and holy ones, one who is worthy of the holy mystery. Above all, it is proper to
 5 forbid the status of godfather to infidels, for what has a believer in common with an unbeliever or Christ with Belial? If any should do this once in ignorance, he shall greatly repent, and the priest shall have mercy on him according to his discretion. If he prove contemptuous and take no heed, he is cursed in life and death.
 10 And the priest who performs a baptism with an infidel as godfather shall be dismissed * from his orders and shall not celebrate mass. * p. 23
 If he does it once and repents and if he has upheld the rule and the laws, he shall repent for one year, and scholars shall examine the case and act according to his merits.

15 22. CONCERNING MONKS, WHO BECOME *SNDIKNOSK*¹.

Let no monk, friend or lover dare to adopt the child of the mother or be godfather to the child.

23. CONCERNING THE BAPTISM OF CHRISTIANS AND THE
 ILLUMINATION OF THE HOLY FONT.

20 On the day of the illumination of children or likewise in the house of the wedding of those married in Christ, this great mystery, let no one called a Christian and a believer in Christ dare to prance and dance about in accordance with various heathen games;

⁴ Cfr DA 66.

¹ The form *sndiknos* represents *σύντεκνος* « foster-brother, foster-sister », but the text of the canon clearly refers to adoption and godparenthood. F's reading *knk'awor* « godfather » — the editors of *Nor baḡgirk'...*, s.v., quoting from another canon, suggest that *knk'awor* should be written *knk'ahayr*, but this present occurrence at least confirms the usage — is more apt. Cfr para. 138 of the Armenian version of *Syrisch-römisches Rechtsbuch aus dem fünften Jahrhundert*, ed. K. G. BRUNS and E. SACHAU, Leipzig, 1880, t. I, p. 137, t. II, p. 149 : « the law decrees that all physicians, vardapets and scholars in town and country be exempt from all taxes... The law does not permit them to be the guardians of orphans (*hogēbarju orboç*). The *nomos* exempts them, for they are the doctors of the body and the teachers of the soul ».

[the house] thus becomes the dwelling of *devs* instead of that of Christ and the angels; for on that day the house symbolizes Heaven, the bridegroom Christ, the father of the groom the heavenly Father, the bride the Church, the father of the bride the apostles and prophets and the whole gathering the holy angels. Now, it is not proper 5 to mix earthly and demoniac games with heavenly, divine and ineffable mysteries, but [it is proper] instead of engaging in devilish games to sing angelic songs, and instead of heathen and shameful conservation to discourse upon the martyrdom of the holy martyrs. Now, if any priest enters in where such a satanical 10 rite is performed, it is as if he enters a temple of the *devs* and a house of idols and eats of the sacrifices. And I do not say this

* p. 24 on my own authority, but * upon that of the canons laid down by holy vardapets¹. Now, I have acquainted you with the harm (done in such cases) and have cautioned you with a commandment 15 that you might keep it and not be struck from the Book of Life. Therefore I cannot be held responsible if you lose your life, for I have warned you.

24. ANSWER TO THE QUESTION CONCERNING THE HOLY SACRAMENTS.

20

If anyone in ignorance should celebrate mass with wine into which, or bread onto which, a mouse has fallen, all the holy vessels which have been polluted, together with the chalice-cover, shall be rejected, except for the altar vestments, and the priest shall repent for three weeks in fasting, remaining two [weeks] outside and one inside, and 25 shall then commune. If any one consciously celebrates mass thus, thereby trampling the ineffable mystery underfoot, he shall be dismissed from his orders. The vardapet is, however, empowered to act on his own discretion in accordance with their penance, which is three years' rigorous abstinence outside and two weekly fasts inside, 30 after which they may commune, with the knowledge and permission of the vardapet. If while the vessels are laid the mouse should eat of the consecrated bread and the priest should not know of this before he takes the bread and the chalice and blesses them,

¹ Cfr DG 172, 202-209, DA 160.

he shall change the bread and put other bread in its place, recommence and celebrate mass; if, however, he learns of it after blessing it before its distribution, he shall cancel the mass. If there is another present, this person shall eat the imperfect sacrament, 5 but if he [the priest] is alone, he [shall eat it] and not leave it, and shall remain 8 days outside holiness. If he learns of it while baptising or giving communion, he shall perform the rite and shall remain three weeks outside holiness and shall then commune, but the vessels shall not be destroyed. If consciously * negligent and * p. 25
10 disdainfully unconcerned he celebrate mass, he shall remain one year in zealous and holy penitence outside, and shall then enter and commune. If he does it in ignorance with sour wine, he shall remain 3 weeks outside in double repentance, if knowingly, one year. If [he does it] mixed with water¹ in ignorance before 15 the distribution, whereupon he learns of it, he shall put it aside and offer no other. If he becomes aware of it during the distribution, he shall complete the mass and shall himself remain outside holiness a whole year under the same rule. If he consciously celebrates thus, he shall be deposed from his orders and shall repent 20 under the rule prescribed by the canons. If any should celebrate with consecrated bread two days old, they shall remain 3 weeks outside under the same rule; if anyone should celebrate thus knowingly and negligently, he shall remain outside communion for 3 [? 2] periods of 40 days and one [period of 40 days] inside, 25 and when 120 [days] are completed, he shall enter and commune. If he prepares the host with stale water² out of negligence, he shall remain outside communion for 8 days. If this occurs of necessity owing to the distance [of the sources of supply], as for example in winter, or for fear of brigands, he shall continue to 30 celebrate mass. Similarly, if [the offering] is touched by hand, it shall be removed from the holy place, but otherwise no harm is done, so God will. But if a morsel falls upon the holy altar, he shall repent 3 days in succession, one day outside, two inside, and shall then commune. If the veil suddenly falls, no harm is done. 35 If it falls at the foot of the altar, 8 days outside and 2 inside, and then he shall commune. If it fall inside the sanctuary, he shall

¹ Cfr DG 606, 607. ² Cfr DA 475.

fast for two periods of 8 days. If the wine spill on the altar,
 * p. 26 8 days, and if to the ground, 40 days, 3 times * 10 days inside and
 one [period of ten days] inside, and then he shall commune. If it
 spills within the sanctuary, he shall repent twice 30 days.

25. CONCERNING CAUTION IN THE ADMINISTRATION 5 OF HOLY COMMUNION

But concerning the question concerning communion, [the answer]
 is as follows : if the priest has had marital relations and on that
 day it becomes necessary for him to administer communion, there
 being no other to do it in his stead, no harm is done, but for the 10
 sake of conscience, he shall purify himself for three days in accord-
 ance with the canon by genuflexions, without remaining outside, and
 shall then commune. If any priest should be unworthy and none
 of the clean priests is available, it is proper for him to give com-
 munion by virtue of his orders. If anyone is sick, coughing 15
 continuously or vomiting, he shall not be given communion until
 this ceases. If [communion be] taken by such a man and brought
 up again onto the vessel, [the sacraments] shall be taken outside the
 church and buried deep near the foundations, and any splash [of
 phlegm or vomit which may have] fallen on the vestments shall 20
 be washed from the holy place. And if the priest has no heed [to
 the man's condition] or has commanded [that he be given com-
 munion], he himself shall incur the penance (*karg*) and the sick
 man shall be blameless.

26. CONCERNING WOMEN WHO DIE IN CHILDBIRTH. 25

If a woman dies in childbirth, one shall give her communion after
 her confession. If [death] occurs at the time of [her giving] birth,
 because marriage is honourable and her bed holy, [or] if she be in
 her periods or sick of her flowers and death occurs, the woman
 shall not be deprived of the viaticum, for this is the work of 30
 nature, and not the work of sin or the will.

* 27. CONCERNING CAUTION IN BAPTISM.

* p. 27

The rule concerning baptism shall be the same as for the administration of communion. If one should baptise before mass, one shall not celebrate mass, and if one should celebrate mass by necessity
 5 and after this baptism, one shall do as in the case of the administration of holy communion. If any should be unprepared and unworthy, he shall not perform a marriage, for there is no question of necessity involved. If he first performs the marriage and there is no one else [available], he shall [still] not celebrate mass. If he has celebrated
 10 mass and there is no one else [available], he shall perform the marriage towards evening. Likewise, if he is unprepared on the day because of [relations with] his wife or the temptation of dreams, he shall perform the marriage towards evening, but shall do three-fold penance.

15 28. ANOTHER [CANON APPLICABLE] IF ANY SHOULD
 INCAUTIOUSLY BECOME POLLUTED¹ IN CHURCH.

If anyone should become polluted in church, if involuntarily, 8 days outside²; if wilfully and unconcernedly, one year; but the vardapet has authority to reduce this period after repentance.
 20 Likewise also during mass: if involuntarily, he shall remain 2 [periods of] 8 days outside; if voluntarily, thus scorning the holy sacrament like an infidel, he shall be dismissed from the priesthood; the vardapet, however, in consideration of his zealous repentance, has authority [to do] as he will. But if while subject to this
 25 rule he should have celebrated mass in ignorance, he shall remain one week outside; if he consciously celebrated mass out of vanity on account of the arrival of dignitaries or because of gifts which have been brought to him, and scorns the glory * which * p. 28
 30 ually, he shall be entirely excluded from the holy sacrament his whole life long; but if he has done so once or twice out of necessity,

¹ *išaqaw* « became wet »; in the terminology of e.g. Thomas SANCHEZ, *Disputationes de sancto matrimonii sacramento*, 9, 45, 2, affected by *distillatio* as distinct from *pollutio*. ² G adds « the church ».

and afterwards repents, he shall remain 40 days outside holiness in zealous penance, and shall then commune. The vardapet has authority to modify and reduce the days of penance outside the church which are incurred [because of transgressions] due to some great necessity arising; namely, from 5 [days] to 1, from 10 to 2, from 20 to 4, from 30 to 6, from 40 to 8, from 50 to 10, from 100 to 20. And [it is proper to use] such discretion in time of necessity, having witnessed the warm repentance of the priest, [and] if it happen thus, it is well to permit him to celebrate mass. 10

29. CONCERNING THE ERUCTION OF A PRIEST.

If a priest should eructate on account of a drug or the severity of a pain which seizes him, no harm is done. If it happens because of food or drink, he shall remain 8 days outside the holy sacrament and shall not read the gospel for 7 days; if necessary, however, he shall read on the 5th day. If it happens because of drunkenness, he shall remain 30 days outside holiness. If he does this habitually, he shall entirely refrain from conducting the service until has done [due] penance. But scholars shall examine the case and act as they will. If while celebrating mass he eructates on account of the severity of a pain, he shall remain 15 days outside and shall commune on the 20th. If it happens on account of food and moderate drink, he shall remain 30 days outside and 10 inside, and shall then commune.

* p. 29 * If it happens because of drunkenness, he shall remain 3 times 40 [days] outside, and scholars, having considered his repentance, may reduce the period as they will. If he should fearlessly and habitually vomit 2 or 3 times, he shall be excluded from the celebration of mass to Christ, for the drunkard is to be counted as a wild beast ¹. 25

30. CONCERNING THOSE WHO OUT OF VANITY CONCEAL THEMSELVES INSIDE [THE CHURCH]. 30

There are some who out of vanity and shame, while still unprepared [by due penance], creep inside [the church] and would make

¹ Cfr DA 155, 159, 177, 180, 181, 185.

others believe they are communicants, and vainly conceal themselves inside; let not such people dare to persist in this, for truth is no friend of dissimulation, and the vain man is unclean before the Lord. Now, man, if you have got into trouble, show yourself
 5 for what you are, and do not pretend to be what you are not. Why, when you owe nothing, do you place your soul in debt, for which God will more rigorously call you to account?

31. CONCERNING NOCTURNAL POLLUTION 1.

Nocturnal pollution comprises many cases : there is [the case]
 10 where the superfluous [seed] flows at the fulfilment of its time; there is that which [is caused by] washing the body; there is that which [is the result of] labour and sickness; these cases are harmless. If it occurs before the evening service, [the man] shall remain outside for the [rest of the] day and go to mass on the
 15 morrow. If it occurs after this hour, he shall go to mass after two days; if necessary, however, he shall commune on the morrow. If it occurs at the sight of his wife, he shall that day remain outside in double penance (?) ² and * shall commune on the morrow. * p. 30
 If it occurs at the sight of a stranger he shall likewise in double
 20 penance (?) ³ remain that day outside and shall enter inside on the morrow and commune the day after. If it occurs after the conclusion of the evening service at the sight of his wife or a stranger, he shall commune on the third day. If [it occurs at the sight of] the wife of a priest or through the bestial temptations
 25 of Satan, he shall remain 2 days outside, one day inside and shall commune on the fourth. If [it occurs when he] is on a beast of burden or [at the sight of] the union of animals, he shall commune on the third day. If he is tempted after mass by his wife, he shall remain 5 days outside and shall commune on the 6th day. If it
 30 occurs because of gluttony for food, [he shall remain] 3 days outside, one inside, and shall commune on the 5th. If in the daytime he should see a strange woman and covet her and go after her in his mind and be tempted through her by Satan at night, this falls within the definition of fornication, for he has fornicated

1 Cfr DA 206. 2 *erku kargawlk* duobus ordinibus. 3 *noyn erku kargawlk* eisdem duobus ordinibus.

with her in his heart. If the temptation occurs whilst he is asleep, he shall remain two weeks in double penance⁴ [outside] and one week inside. If he falls once or twice under such a decree, he shall commune; if it occurs many times, habitually and unconcernedly and with inclination towards his wife, or if his mind is occupied⁵ with the vision of many [women] and constantly polluted thereby and his body ill, he shall be barred from the holy sacrament for ever.

32. CONCERNING DEDICATION TO THE PRIESTHOOD.

Those who are called to the priesthood shall be clean in all things,¹⁰ in soul and body. For if it were so of old, for example in the case of animal sacrifices at which [only those] completely without blemish
 * p. 31 might make an offering on * the altar, then that altar which bears the body of the Lord cannot suffer a defective person to minister to its ineffable mystery. Now, there are accidents to the¹⁵ body which are abominable and others which are not. If any is defective in the fingers or toes or the lobe of the ear is cut off, or if any squints or is crooked of eye, such things are not abominations as regards the priesthood¹. But those without feet or hands, the deaf and the blind², the noseless and the lipless, the spotted²⁰ and the leprous, are to be rejected from the orders of priesthood; this is a blemish of the soul for those dedicated to the priesthood. If during childhood anyone is subjected to evil acts, he is to be rejected. But if the act is not performed, but the seed of the evildoer flow upon [his victim] outside, he is not to be rejected. If two adults²⁵ perform this with each other, to the point of ejaculation without the [sexual] act, such are despicable in the sight of the Lord; if one should ejaculate, he shall be rejected; and the one who is not harmed may by the grace of God be called [to the priesthood], and the scholars may do as they will. [If any should] embrace³⁰ one another, or a woman, or lay hands on [each other] [?]³, and are polluted, or approach the place of the act of women or each

⁴ *krkin kargacut'eamb.*

¹ Cfr Apostolic canons II, no. 77 (71), apud T'ankean. ² *Lev.*, xxi, 16-23; Apostolic canons II, no. 78 (72), DG 521, DA 354. ³ *kam jeŋmarkut'iwn i nerk's.*

other and do not perform it and do not ejaculate, they may be called after repentance. If they take each other's person in their hand once or twice and are polluted, not knowing the harm done and no-one having warned them and made them fear, after grave
 5 repentance for 4 years, in accordance with the success of him who has the grace of God, such may be called to the priesthood. If any has been accustomed to do this many times and persists in it, and after having been once admonished acts just the same, he shall be rejected and not chosen. If a priest has this [habit], he
 10 shall be dismissed from the priesthood⁴; * if any had this [habit] * p. 32 previously and concealed it, and afterwards it is revealed, they shall be excluded from the celebration of mass and shall not dare to approach this service. If youths (*mankunk'*) should approach their mouth to each other's impassionately, they shall be called; if
 15 passionately, they shall not be called to the priesthood, but in accordance with their age and their repentance they shall commune meantime and be worthy of the viaticum.

33. CONCERNING THOSE WHO SIT UPON A BEAST OF BURDEN AND BECOME POLLUTED¹.

20 If pollution occurs involuntarily on a beast of burden, one shall remain 3 days outside. If an ejaculation occurs involuntarily, from fear alone, one week outside. If one's person becomes polluted by one's own volition, 10 days outside and 2 days inside, and then one shall commune. If ejaculation occurs intentionally, one shall
 25 remain 30 days outside and shall commune on the 40th. If one sits naked upon a beast of burden and pollution occur by reason of deliberate movement of the body, one shall remain outside holiness for 3 weeks, 5 days inside, and then one shall commune. If ejaculation occurs, 3 times 40 days in double penance² with
 30 fasts, and then one shall commune. If in waking pollution should suddenly occur involuntarily, one day. If ejaculation should occur without cause, 2 days, and on the 3rd one shall commune. Anyone afflicted with gonorrhea shall remain outside every day

⁴ Cfr DA 172.

¹ *t'açanan* madescent. ² *kargacut'eamb krkin*.

until he be cleansed. If any in a frenzy should curse his passion, mount a steed, give it its head and allow it to gallop in order to occasion the flow of seed from his body, if he is a priest, he shall be excluded from mass; if he does this once, he shall repent
 * p. 33 3 years, but * if he habitually persists in the same, the scholars 5 shall do to both [man and horse] as they think fit. If anyone dedicated to the priesthood does this once, the vardapets have authority, after 3 years' repentance, to act as they think fit; he who persists in this same act, however, shall not be called to the priesthood. If children at play put the dung of man or animal or 10 their urine into the mouth of a child dedicated to the priesthood, or [if this is done] as a medecine, he shall be called to the priesthood. If it should happen that a priest [be prescribed] as a medecine the dung of man or an unclean animal, he shall not take it. If any from among the elders suffer this as a punishment 15 or as an insult at the hands of infidels, he shall be barred from mass, but may perform the other rites. If a priest drinks the urine of clean animals as a medecine or as an insult, after 3 times 40 days of penitence [he shall] commune; if this happens to a layman, he shall repent one third less than the priest. 20

34. CONCERNING A PRIEST WHO WHILST CELEBRATING MASS IS
 IN AN EMERGENCY SUMMONED TO BAPTISE OR TO GIVE
 COMMUNION TO A SICK PERSON.

If the priest is celebrating mass and is summoned in an emergency for baptism or communion, let him not make a case of 25 conscience of it and delay and linger, but let him conclude the stage in the mass he has reached and cover it in preparation [for its resumption], and go and give baptism to a child and communion to a person near to death, and then return and resume the mass from where he left off and thus complete it. If there is no com- 30 municant, he shall celebrate the mass as far as the time of the
 * p. 34 distribution, * and before he partakes thereof, he shall take of the holy sacrament and go and give the viaticum to him [the sick person], and then return and complete the mass. If the priest should not reach the sick person whilst he is still breathing, he 35 is innocent; but if in fear and ignorance he linger over the mass,

paying little attention [to the emergency], he shall remain 4 weeks outside holiness and repent of his ignorance, and he shall commune on the 30th day. If he knew [what he ought to do] and delayed out of laziness and sloth, be it outside or during the mass, 5 with regard to these cases about which it is written [above], he shall be deposed from the orders of priesthood¹.

35. CONCERNING THOSE WHO [ACCEPT TO TEACH] CHILDREN OR WHO READ THE GOSPEL TO A SICK PERSON¹ FOR PAYMENT.

[If] a priest, a monk or a layman undertakes to teach children 10 in return for payment², thereby indulging in trade and putting a price on the gifts of God, or buries the dead in return for payment or delays before burying the dead³, saying «If ye do not give me my wage, I shall not bury him», such priests, who mock the mysteries of God and scorn his command, namely «Freely 15 have ye received, freely give»⁴, shall be dismissed and cursed in death and life. But if they do this voluntarily and we ask for the needs of our house, [this is proper], for «the labourer is worthy of his hire»⁵, that is, his food and drink; as Paul writes, «Let him that is taught communicate unto him that teacheth in all 20 good things»⁶. Now, if they give of their own free will, one shall boldly sow matters spiritual among them and take from them without a bad conscience or shame; if they give reluctantly, * one * p. 35 shall not take from them. But feed and aid them that are with you, and liberally spread among them over whom you were appointed 25 steward and overseer by God the gifts of the Holy Spirit.

36. CONCERNING [THE QUESTION] WHETHER IT IS PROPER FOR THE PRIEST TO PRONOUNCE ANATHEMAS DURING MASS.

Now, renounce your impatience, for that occasion is awe-inspiring and terrible, not one of sadness, but of joy, not of anger, but of 30 gentleness, not of confusion, but of peace, not one for cursing those

¹ Cfr DA 669.

¹ K «a lunatic»; F omits «sick person», adds «or a lunatic». ² Cfr DA 165. ³ Cfr DG 806. ⁴ *Matth.*, x, 8. ⁵ *Luc.*, x, 7. ⁶ *Gal.* vi, 6.

that curse and persecute us, but one for blessing and loving our enemies; it is not the occasion for imprisonment, but for liberation, by which Christ freed us from the bonds of Death and Sin and His torments on the cross; He prayed « Father, forgive them ». And that tortured body He gave to us as food and as an eternal 5 reminder of His perfection. He says « This do in remembrance of me »¹, that is, « as I have done, do ye also ». Now, let none become subject to such impatience. If any in ignorance should curse his enemy once or twice, and afterwards repent, he shall remain 40 days outside and commune on the 50th. If he habitually and 10 intentionally ignores the ineffable mystery of Christ, he shall be excluded from the holy sacrament.

37. CONCERNING HOPELESS TYRANTS WHO MAY COME. I ALSO
HAVE OF NECESSITY FLATTERED THEM.

* p. 36 If any hopeless tyrant comes and one of necessity * flatters him, 15 as though to honour him, and he does not consider the flattery as a gift, but in the depravity of his mind receives it ungratefully, it is fitting to ascertain by this experience what his attitude is [?], and [when one has once] learned from his words and his lips that he is ungrateful, it is not proper to « cast pearls before 20 swine, lest they trample them under their feet, and turn again and rend you »¹. If [one flatters them once] in ignorance, one shall not take the trouble a second time.

38. CONCERNING THE SLAUGHTER OF UNCLEAN ANIMALS.

[The answer to the question] asked concerning the slaughter of 25 unclean animals is as follows: if any should bring a suitable [animal] offering and someone else should out of spite or for fun say that it is unclean, he shall be punished, for his words were vain, and all shall eat freely of the meat. If a priest should say [that the animal] has been a [pagan] sacrifice or has been 30 strangled¹, one shall inform oneself and truly examine [the matter].

¹ *Luc.*, xxii, 19.

¹ *Matth.*, vii, 6.

¹ *Act.*, xv, 20.

and having confirmed [the truth of] his words, one shall first reward the priest and then (? shall not) eat it; he himself shall answer to God for any untrue words. If the offering is the [product of] theft or extortion and anyone, layman or priest, says so, 5 it shall be cast out and dogs, not men, shall eat it. If the animal falls from a height and anyone attempts to seize it alive and slaughter it, [the following circumstances are to be taken into consideration] : if it kicks and the blood does not flow, it is clean; if the blood flows abundantly and the foot does not move, it is 10 clean; if abundant blood emerges without spurting or flowing and without any sound from the windpipe, the animal is strangled and shall not be eaten ².

39. CONCERNING A CHILD'S FATHER WHO WENT DRINKING.

If the father of a child goes drinking or * departs on some * p. 37 15 other business and his non-adult son should go to meet his father and drown in the river, because none [of the family] knew [that this would happen], they are not to be punished on account of their ignorance, but on account of their drunkenness, for they became the cause of the child's death; they shall fast for 3 times 40 days, 20 two periods of rigorous fasts (*srbapahut'eambk'*) and one period of weekly fasts (*šabat'apahawk'*) with 100 genuflexions; but the father of the child shall fast for one year, 6 months with rigorous fasts and 6 months with weekly fasts with genuflexions; likewise the mother of the child.

25 40. CONCERNING A MOTHER WHO FALLS ASLEEP ON HER CHILD [WITH THE RESULT THAT] HE DIES.

If [a mother] falls asleep on her child, or if the child through lack of care falls into the fire and is burned, she shall repent for 5 years, one with rigorous fasting, 2 with weekly fasts, and she 30 shall further fast for two periods of 3 times 40 days.

² Cfr Mishnah, *Hullin*, 2, 6; the beast is *terefah*.

41. CONCERNING THIEVES WHO ARE CAUGHT AND
[ARE CONDEMNED] TO THE GALLOWS

Concerning the hanging of thieves. If a man is ordered to hang [a thief], be he Kurd or Armenian, he [the man]¹ shall if possible flee from the place [of execution]; if this is not possible, he shall be released [from this office] by means of a bribe. But if these methods are of no avail, one must carry out that which is commanded by the lords, but nothing in excess thereof; as John commands the soldiers²: «Do not more than is commanded, for God sees into the heart, as the Lord saith».

10

* p. 38 * 42. CONCERNING A MAN WHO HAS A STUBBORN ANIMAL OR
A KICKING HORSE¹.

If a man has a stubborn mule, or a kicking horse, or one that bites people, or a goreing ox, and does not know this, and others tell him and complain and show him the damage done, and he pays no heed and does not undertake [to contain] it in the proper fashion, and it kills someone, the owner shall be guilty of his death. If it is an unclean animal, or a horse or a mule, the owners shall give it on behalf of the dead man, that it may be sold for the needs of his soul.

20

43. CONCERNING A MAN SENT ON AN ERRAND BY ANOTHER.

If anyone sends a man on an errand, there are many cases to be considered as to questions of conscience; for there are some who are appointed by their masters for agricultural work, others for viniculture, others for soldiering, and others for other work for the needs of the community. If in the course of their work the snare of death should come [upon them], their masters are innocent, particularly those who constantly impressed the command to be prepared on the ears of their underlings. But if any masters command

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¹ The canon is somewhat ambiguous, but this seems to refer to the Armenian who is ordered to hang the thief rather than to the thief himself. ² Where?

¹ K «who has a horse or mule which is stubborn and kicks out».

their servants to undertake work not concerned with the well-being of the community and the peace[ful continuation] of our life, and any chance to be killed or murdered, the master is guilty of their death. Again, if anyone of them informs his master of previous harm
 5 and he takes no heed thereof and sends him unprepared to his work, and the same harm befalls him which he who sent him ignored, he [the master] is guilty of his blood. If anyone should send another who does not belong to him to do his work in a place where he falls into a snare, * he is guilty of his blood. If anyone is a * p. 39
 10 hired man and he says to the householder « Send me » or « Give me work to do », and he forewarns him of the danger, and he [the hired man] accepts the work out of necessity, and he again gives him a word of warning, if [the harm] then befalls him, he [the employer] is innocent. There is another [thing to be taken into
 15 consideration] : if on the next day [the work] is performed with due care and the danger is witnessed by many, and [the employer nevertheless] sends [a man] and orders the work to be done, and he falls into the snare of death, he [the master] is guilty of his blood.

20 44. CONCERNING [A CHILD] WHO DIES UNBAPTISED.

Concerning a child who dies unbaptised, [the rule] is as follows: although he dies imperfect who has not received the birth of illumination in the font whereby man's imperfect birth is made perfect for rebirth in God, such a child is nevertheless born of Christian
 25 persons reborn in God and is of their body. Therefore, they have received baptism in part¹, and it is proper because of this and the innocence of their souls to bury them beneath a cross and with a blessing as Christians among other Christians. If a mother gives birth to a dead child, if it is a male and two or three months old,
 30 because the child breathed for forty days and lived, it is proper on learning this from its mother to bury it in a grave and to seal the tomb with a cross and with one prayer. If, however, the foetus has been formed for one month only in the womb and it accidentally miscarries, it is a mere jelly, a coagulation of blood, and it shall be

¹ But cfr DA 78.

[simply] buried in the ground. If the foetus is female and miscarries before it has been formed for eighty days in the womb, [it shall be buried] in the ground likewise. If the [female] child remains twice or three times forty days [in the womb] and then
 * p. 40 emerges dead, it is proper, since a female breathes and * comes to 5
 life on the eightieth day², to bury it in a Christian grave and to seal the tomb with a cross and a blessing.

45. CONCERNING AN ESCAPED SLAVE¹.

Concerning an escaped slave who turns to us : if his lord pursues him and asks for him, one shall not swear [an oath] in 10
 any event, but one shall persuade [the lord] with words or bribes, and if [he will] not [be persuaded], all shall contribute to his ransom. If the matter can not be settled in this way and one has the intention to seize us as hostages, it is not proper to give one person as ransom for another, for this befits Christ our God alone. 15
 If on account of a transgression a servant flees from his lord and turns to us, and his lord pursues him in order to slay him, it is proper to conceal him and to seek by many means to free him, even to the point of taking the clothes from one's body and giving them to him. If he who seeks revenge will not be persuaded from 20
 his error owing to his ferocity, and he goes so far as to demand an oath, and that from a priest, [the priest] is not to swear it; but laymen [may do so] to save their [spiritual] leader (*aṛaǰnord*). But if he will not be persuaded and will obtain the oath from the priest, he may swear and save the slave, but after this shall not 25
 retain his priesthood². If the oath [he seeks] is not [to be sworn] clearly by the Cross and the Church, either verbally or by putting one's hand to it, but if he seeks apostasy from the priest, or a layman also, [asking them] to trample on the Cross, or to associate Christ 30
 with Muhammad [in one's oath]³ or to take a dog in one's arms 30

² Cfr Mishnah, *Niddah*, 3, 7. Compare Ethiopian practices : « A male child is raised up to Christianity on the fortieth day and a female child on the eightieth... If a child dies before the fortieth or eightieth day, it will die unbaptised... » (C. H. WALKER, *The Abyssinian at home*, London, 1933, p. 4).

¹ *geri* lit. « captive, prisoner »; a sign of the times. ² Cfr DA 663-665.

³ *cir aṛnel Kṛistosi ew Mahmeti*, i.e. perhaps *crarel zKṛistos and Mahmetin* « to

and enter the church, or to spit oil and water from one's mouth, or to spit water on a light in the church and extinguish it, or to take the tail of a dog in one's mouth, or compel one to say about a dumb animal that one worships it⁴, * or by other such wicked * p. 41

5 means contrives [to extort] an oath in anger, let no one, priest or layman, comply with this, for it is not proper to save anyone by renouncing Christ, for Christ himself did not deny the divinity which He has from the Father and with the Father before Pontius Pilate, but gave His body to His tormentors. Now, if anyone gives
10 himself in order to save a man's life, he knows [what he does], but we must not sell the holy faith to buy blood; and if matters go so far that the man's life is in jeopardy and one has not been able to divert the claimants, one shall agree to give bribes up to the amount of the man's price and buy his blood, and [after persuading the claimant
15 to swear] an oath to him in accordance with their laws, one shall with confidence give him the slave. If, however, the claimants are false to their oath and kill the prisoner, those who bought his blood are innocent, so God will.

46. CONCERNING VARIOUS ACTS OF CHARITY.

20 You have asked to whom one should give charity, to a poor man or a slave. [We say that] the poor man and the slave are the same in this respect, for both are equally lacking in possessions, since nations who were in captivity in Babylon were called poor and indigent. And Paul calls the nature of man wretched¹. There is, however, a difference between poor men and prisoners,
25 for the poor have nothing to fear from tyrants and tax-collectors, but such is not the case for slaves. Against this, it sometimes happens that an investigation of the case reveals that [the so-called poor man] is in need of nothing at all. There are many who are not
30 slaves and only pretend to be; * in order, therefore, that our gifts * p. 42 go to the authentic and not to the fraudulent, caution is necessary.

parcel together Christ with Muhammad ». 4 H « ... extinguish [it] or compels one to say [concerning] a dog 'I worship it' ».

¹ Rom., VII, 24.

47. CONCERNING THE SOBRIETY OF A MARRIED PRIEST.

Concerning the sobriety of the life of a married priest, [the canon] is as follows: the priest, chosen and appointed as the overseer of Christian laws, as he is called in accordance with the commands of the gospel, is obliged to obey all the commandments, 5 for he is the representative of the Lord God Almighty, and the laws demand of him that he teach by the word and not become degenerate, so that no fault-finding member of his congregation may slander him and he be found without an answer. He must show sobriety in the form of his marriage, for he is the guardian 10 of Christian mysteries which even the seraphim are not sufficient to receive according to the allegory, for [the seraph in Isaiah VI., 6] needed tongs; therefore how much more worthy purity is demanded of the priest, who is the intermediary of the divine mystery. Now, it is proper for priests and deacons and laymen to abstain from the 15 marriage bed during Lent and Pentecost, on every feast of the Lord and the martyrs, and on Sundays, and also Fridays and Wednesdays¹.

When a priest approaches his wife, let him not remain the whole night in bed after the way of the world, but let him chastely pass 20 through it as though through fire, and separating immediately, return to his own bed; and he shall remain outside for three days under the rule, and then commune in holiness, and after two days perform mass²; if it happens thus [they may then] return to each * p. 43 other. If it should happen * that he become polluted in the bed 25 of his wife without coition, he shall remain outside for 8 days. If he becomes polluted with his wife in mind, [he shall remain outside] for 2 days; if with another woman in mind, for 8 days, and he shall thereafter commune. If [his seed] flows while he is awake at the thought of his wife, 8 [days outside], if at the thought 30 of strange women, in double penance three weeks, [then] he shall commune. If he becomes polluted in his sleep at the sight of his wife, one day [outside], it at the sight of a strange woman, 2 days, and he shall commune on the third. If whilst embracing his wife

¹ Cfr DA 220, 450. ² Cfr DA 452, which allows the priest to perform mass after only three days in all.

he remains dry, this is harmless, but if he becomes polluted, one day. If [his seed] flows, one week outside. If whilst embracing a strange woman he remains dry, 25 days outside and 5 inside and he shall commune on the 30th; if pollution occurs, 40 days outside, 5 10 inside, and he shall commune on the 50th; if [his seed] flows, 10 months outside, 2 inside, and he shall commune at the end of the year; but the vardapet, taking his repentance into consideration, may act as he wishes. If he becomes polluted in church at the thought or the sight of his wife, one week outside; if his seed flows, 10 40 days outside; if any should fall at the foot of the holy altar, twice 40 [days outside], and one shall scour the place and wash the paving of the church, and shall read [the passages in the Ritual prescribed for the case of a] polluted temple. If this should happen whilst embracing, he shall do double [the penance]. If at the sight 15 of strange women he becomes polluted, 3 weeks outside; if his seed flows, twice 30. If he should become polluted during mass through desire for his wife, 3 weeks outside; if his seed flows, 40 days outside in double repentance. If he become enamoured of a strange woman and become polluted, 40 days outside in ardent 20 repentance, and he shall commune on the 50th; if his seed flows, he shall be disqualified from [the celebration of] mass all the days of his life, and he shall repent ardently for 3 years. But the vardapet * may do as he wishes. If he hold a service or celebrates * p. 44 mass indiscriminately after coition³, but not excessively, he shall 25 remain outside for 3 weeks; but if he does this habitually and indifferently, he shall be cut off with a curse from the holy mystery and shall never again give communion.

48. CONCERNING TRAITORS, MURDERERS, FIRE-RAISERS,
AND A WOMAN WHO KILLS THE CHILD IN HER WOMB,

30 THE RULE IS AS FOLLOWS.

If any man should have killed¹, or betrayed², or committed arson, or if any woman kills the child in her womb by means of

³ Cfr DG 244. I do not understand the phrase *yaysosik erkoseans*, lit. « it both of these », in the text.

¹ Cfr DA 331. ² FG « or performs treachery against someone »; K « or betrays to death ».

a drug or by crushing it or by falling off a wall³, and if any other man or woman stands by and associates himself or herself with the murderer in thought or deed, or is able to help the victim⁴, or is informed [of the crime] by the person or by others and takes no notice, such a one is accomplice to the murder; likewise [the 5 accomplice] of the fire-raiser and the abortioneer. But if they are not accomplices or associates in these matters and are completely ignorant of them, why should his relatives and neighbours be condemned with him [the criminal]⁵?

49. CONCERNING THOSE WHO DURING COITION INSERT
THE TONGUE INTO THE MOUTH.

10

If anyone inserts his tongue into the mouth of his spouse or a strange woman, this most lewd action is counted fornication by the
* p. 45 tongue. * The prescription concerning adultery, homosexuality and incest is applicable. This, more than the act of adultery, calls for 15 double repentance. If they unrepentantly stoop to this unworthy deed, they [may come to] insert their fingers into each other's anus and into the woman's genital parts. Women also, taught by Satan and contrary to nature, fabricate an alien instrument of some material, bind it round their loins and couple with their companions 20 like men. Now, concerning the tongue and the fingers and the *zupay*¹ of women, [the canon] is as follows: if any confess to these things, they shall atone in zealous repentance and be worthy of the viaticum. But if women who use the *zupay* do so with smaller girls or their maidservants against their will, the penance is less 25 severe [for the latter]; but those who perform this evil knowingly come under the rule governing homosexuals, and for them zealous penance [is prescribed] if they are to be worthy of the viaticum.

³ Cfr DG 1-4. ⁴ K «to save the victim by his hands». ⁵ The question suggests that the vardapet's interlocutor has asked what action should be taken against the relatives and neighbours of the criminal.

¹ Var. *zopa(y)*; a Semitic (? Syriac) loan cognate with Arabic *zubb* «membrum virile», here in the sense of *δλιςβος*; cfr Turkish *zıbık* apud F. STEINHERR, *Zur Stambuler Volks- und Gaunersprache, Islamica*, V (1933), p. 197.

50. A PARAGRAPH ON CONFESSION FROM THE CANONS
CONCERNING VARIOUS [MATTERS OF] ATONEMENT. A QUESTION.

If a virgin fornicates with a virgin, what is the penalty?¹ In the first place it is a canonical command to join a virgin with a virgin². * If prior to marriage a virgin fornicates with a virgin, * p. 46 they shall repent for 3 years outside and 2 inside, and then shall be married to each other without the imposition of the crown, for they have destroyed their virginity. It is not lawful to give a virgin to one who has been married³, but if this is unavoidable, the crown is to be imposed upon the virgin, man or woman, but not upon the one who has been [already] married. If one of the latter is contaminated by sin, it is not right to join him with a virgin. If a widow [or widower] or a married person lives in fornication, such is to repent 5 years outside and 2 inside; and by way of penance [one is to] prescribe three periods of strict fasting, three times 40 days each year. If two married people fornicate, the penance shall be more severe⁴. If [this is done] with a relation⁵, the penance shall be in accordance with the degree, close or distant, of relationship. Since a paternal aunt and a maternal aunt are equal, the degree of penance required of their children is also equal; if their children fornicate with each other, they shall repent for 9 years; if with a paternal or maternal aunt, they shall repent for 12 years. If any should fornicate with his sister, it is immaterial whether she be the child of one's father or mother or both, he shall repent up to 20 years. If any sins at the age of twenty or thirty, he shall commune again in the flesh [i. e. in his lifetime]; if he is older, at the time of extreme unction. If in unspeakable [vice] anyone should lie with his mother or mother's sister⁶, he shall repent all the days of his life in a leper-house until death, and shall commune at extreme unction if he be worthy. If anyone should fornicate with his daughter-in-law⁷, it is as though he fornicated with his sister, except that one third of the penalty is to be subtracted. * If anyone should fornicate with his sister-in-law⁸, he shall not approach his wife until he has repented; likewise

1 Cfr DA 314. 2 DA 389. 3 DA 393. 4 DA 18, 21. 5 *Lev.*, xx, 10-21; DA 395, 397. 6 A adds « or stepmother »; FHK « ... mother or stepmother ». 7 Cfr DG 465. 8 Cfr DG 468.

the daughter-in-law [shall not approach] her husband. But the vardapets may reduce the period [of repentance]. If a wife should sin openly, she shall be separated from her husband and the husband shall take another wife, but the wife may not marry another. If anyone fornicates with his mother-in-law, the penalty is the same 5 as for [fornication] with one's stepmother minus one part [? in three]. [If the wife's adultery] is public knowledge, the husband shall leave her, but if it is committed in secret, he may leave her or not leave her, as he wishes, but he shall not approach his wife without first repenting. 10

51. CONCERNING WIVES WHO BECOME PREGNANT : THEY SHALL NOT LIE WITH THEIR HUSBANDS.

A wife who becomes pregnant shall not have intercourse until the child has been born. The reason is as follows : all the deformities in the body of a child arise during coition whilst she is pregnant 15 or menstruous¹. It is not proper to lie with a woman at these times, especially for priests. If any should ignore this commandment, they shall be expelled from communion and do great penance, and priests [shall be barred] from the celebration of mass. Likewise, let no one approach his wife on a feast day or a Sunday. If [this 20 is done] in ignorance, he shall fast for one week, but if he knew [it was wrong] and did it, he shall fast for 40 days; if he does this fearlessly and habitually, he is anathema. If this occurs once on the part of a priest, he shall remain outside holiness during 40 days of fasting; if he does this habitually, he is anathema and 25 shall not celebrate mass; but if he afterwards repents the bishop (*aṛaǰnord*) may [prescribe that he] repent for 2 years and then celebrate mass.

* p. 48

* 52. CONCERNING THOSE WHO SWEAR [OATHS] DURING FORNICATION.

30

If any should swear during fornication « I do not know [another woman?] »¹, or swear to deceive a widow or virgin, there is one

¹ Cfr *Lev.*, xx, 18; xv, 24.

¹ Or I know not what?; K « he who whilst fornicating has sworn to marry the woman ».

rule for these : doubly to repent of their fornication and their oath and to marry the deceived woman. If any in the course of fornication or coition with his wife perform sodomy, he is considered worse than [those who perform it with] men, for the
 5 [normal?] satisfaction of his passion was at hand [?] ². Now, they shall atone for their fornication in accordance with the penalty for sodomites, but the wife is considered worse on account of her corruption of the [marriage] crown and the desecration of the virtue of cleanliness. But whoever has been deceived, if it is a woman,
 10 shall be subject to the same rule as he who commits adultery. If the wife is taken against her will and violated by an evil husband, she shall bear a third of the punishment borne by the husband.

53. CONCERNING HIM WHO FORNICATES IN A BROTHEL.

Those who fornicate in a brothel shall doubly bear the penalty
 15 of penance. Unmarried prostitutes who take drugs to prevent pregnancy are counted among those who kill their child in the womb; they shall repent one part less than these, and if they are worthy [shall receive] the viaticum. Sterile women who take drugs to induce pregnancy shall repent for one year, for God is the Creator of
 20 nature. If it should happen, however, that the progenerative capacities of a man or woman are affected by illness and cured by doctors, this is unobjectionable, but not [if they are treated] by demons or witches or hydromancers. There are other wicked women
 * who administer a drug to their husbands fabricated with the excre- * p. 49
 25 ment of their body and mix it in their food; such are cursed in life and death, and are barred from the viaticum. If they confess, however, and accept heavy penance, the penalty applicable to the heretics ¹ is to be imposed upon them. The heretics ¹ are the Paulicians ², for they and their women mix [such things] in
 30 their food and drink, and corrupt themselves and sully other innocent persons to whom they give them. Such poisoners are

² Very obscure : *zi kareaçn lucumn merjêr* « quod passionis vel excrementi solutio propinquabat ».

¹ *moineay*, lit. incestuous, lecherous, is commonly used as an epithet of heretical sects. ² K adds « this is the race of the Sons of the Sun » [the Arewordik*]. Cfr DA 203, 324.

to have a fox branded on their foreheads and the sinews of their feet severed and are to be delivered into a leper-house that they many serve them [the lepers]; and having thus atoned for their sins, [they may receive] the viaticum if they be worthy.

54. CONCERNING THOSE WHO DESTROY THE SEED OF PROCREATION.

5

Certain evil men, in the course of fornication or in order to spite their wives, act contrary to Creation, that is, they spill the seed of procreation which the Lord established for the increase [of His creatures], which act is cursed by the church of God. If anyone 10 is possessed by the Evil One and does this many times, he shall be classed among the murderers. But the vardapets, considering his heavy penance, may reduce the period.

55. CONCERNING THOSE WHO ABUSE THEIR BODY WITH THEIR HAND ¹.

15

There are certain men who have the evil custom of abusing their
* p. 50 body to induce their seed to flow. If * anyone fifteen years of age does this once in ignorance, he shall repent for 2 years. If anyone does the same thing later at the age of twenty, he shall repent 3 years and shall not be received into the priesthood. If anyone 20 retains the same habit after marriage, he shall be subject to the decree concerning evil-doers, for he who fornicates with himself is their associate.

56. CONCERNING SODOMY AND BESTIALITY.

There is one rule for both sodomy and bestiality ¹. If any commit 25 [these sins] at the age of fifteen, 15 years repentance, at the age of twenty, 20 years, at the age of thirty, 30 years; if later than this, they shall repent to the day of their death, but shall not be barred from the viaticum. It is superfluous [as far as the penalty

¹ Cfr DA 562.

¹ Cfr DA 95, 96, 563.

is concerned whether] strangers or kinsmen [are involved], [even] if the evil is not considered to be the same [in both cases]. The same penalty applies to [sodomy with] the infidel and the Kurd. No distinction is to be made between clean and unclean animals, but the laws decree that both be slain in order that the evil memory may not subsist forever. Those who have not confessed and have partaken of the flesh or the milk [of such beasts] in ignorance shall repent for three years and the utensils shall be destroyed; such as have partaken thereof shall not be received into the priesthood. The vardapets, however, have authority [to decide] as they will. Those that ate in ignorance may be received into the priesthood. Likewise, if a priest should [in ignorance] drink the milk, he may commune after 40 days, but if consciously, he shall not be permitted to celebrate mass.

15

* 57. CONCERNING HARLOTS WHO KILL
THEIR CHILDREN.

* p. 51

Harlots who kill their children shall repent to the day of their death¹. And a parent who chastises his children or a man his wife : if he punishes with moderation and death occurs, he shall remain 5 years outside holiness, 2 inside, and shall then commune; if unmercifully like a savage beast, he is guilty of their blood. If they intentionally kill by poison, or out of hatred or jealousy, all such people shall repent to the day of their death in sackcloth and ashes, but shall not be deprived of the viaticum.

25

58. CONCERNING THIEVES AND MURDERERS WHO KILL
THEIR CAPTIVES.

If any thief or fornicator seizes [and keeps] in his house a woman or a maidservant and kills her, he is a murderer. Likewise, if he seizes such a one [and holds her in the house of] his mother or sister and one of them kills her, he is guilty of murder and shall be put to death.

¹ Cfr DA 1, 306, 307.

59. CONCERNING INFIDELS WHO CARRY OUT A RAID ¹.

If any lawless persons carry out a raid upon Christians without cause and the slaying [of such persons] occurs in the battle, they [the Christians] are innocent; 4 years are sufficient to purify their soul. If anyone should take prisoners and slay them wilfully, ⁵ he is guilty of murder. If infidels come to the land of the Christians
 * p. 52 legitimately to seek or give a pledge, [and one] burns or slays * or takes them prisoner, if one of them chance to be killed, the so-called Christians shall pay compensation and are doubly guilty of their blood. If a killing occurs during a night-raid [carried out] without ¹⁰ cause, it is the same as if it happened openly in war.

60. CONCERNING FIRE-RAISERS.

Concerning those who commit arson : if they set fire to store-houses only once and repent, they shall do penance for 7 years. If they injure animals, 10 years. If any man perishes in the house to ¹⁵ which one set fire, [the fire-raiser] shall repent all the days of his life in sackcloth and ashes and shall partake of the viaticum if he is worthy.

61. CONCERNING THOSE WHO SET THEMSELVES UP IN OPPOSITION
AND BUILD A CHURCH. 20

Concerning such opposition it is written that whosoever shall destroy his native fold shall be smitten like a serpent and slain; that is the decree established by the prophets and apostles and the doctors of the church. Now, if any should build a church in opposi-
 tion, if he is a bishop or a priest, he shall be cursed in life and death ²⁵ and deposed from the order of priesthood. And those who became their accomplices shall bear the same penalty, and the church which they have built shall be given to the [true] incumbent of the places. If they have done so [built the church] out of philanthropy, the price of their labour shall be given them. If it is not so, it shall be ³⁰ quietly destroyed, but not burned. But if a whole congregation,

¹ Cfr DA 191 (of A.D. 1342).

bishops, priests, and laymen, want the building, let none oppose their unanimous decrees. If any should dare set fire to the church, be he one of the elders or * one who for a bribe uses violence and * p. 53 destroys the church, such men are ungodly and are to be classed
5 with the crucifiers. But if they confess, they may repent until death.

62. CONCERNING THOSE WHO CONSIDER THEIR WIFE LOW-BORN.

A man who considers his wife to be low-born or without inheritance, or a wife her husband, shall repent 3 years. If they separate for this reason, they are cursed and shall bear the penalty of those
10 who desert their wives or husbands.

63. CONCERNING PRIESTS WHO DIVULGE THE SINS CONFESSED TO THEM.

The scriptures command whomsoever is a father confessor not to divulge the sins [confessed to him]. And if he asks him [the
15 confessant] an honorarium for his service and he cannot pay it, or subtracts therefrom, or opposes it, and instead of giving him gifts, rob him — if [the priest] out of spite divulges his confession, he is not the disciple of the Meek and the Lover of Man, who prayed for His crucifiers. Now, if he discloses [the confession] for
20 such motives, he shall answer for his [the confessant's] sins on the Day of Judgment. But if he discloses the sins of the sinner to the vardapets, exclusively for [his] salvation, it is well. Again, if the sinner is disobedient and persists in his work of sin, when he will not agree to confess [his sin] himself, one must order him to do so
25 twice or three times. If he will still not obey, one must order him to stand before the whole congregation, and if he will still not * obey, he shall be as a heathen to you; but [the canon] does not * p. 54 say that one may disclose the nature of the sin.

64. [CONCERNING THE CASE] WHERE AN ASS [MOUNTS] A COW OR A GOAT A SHEEP.

30

If this occurs without copulation taking place, the mounting is harmless. If copulation takes place, the animals shall not be eaten,

but shall be slaughtered and fed to the dogs. But one may keep an unclean animal for carrying purposes. If a goat mounts a sheep or a ram a goat, Christians shall not eat them. If they coupled with each other the circumstance shall be explained to the infidels, and if they accept them for food, they shall be sold to them, [the transaction being recorded] in writing; if they do not accept them, the dogs shall eat them.

65. CONCERNING THOSE WHO OBSERVE THE COUPLING OF ANIMALS.

To observe the coupling of animals is forbidden by the canons 10 of the saints for men, women and children, and particularly for women, on account of the weakness of their flesh, for they are more easily affected than men. If, thus misled, one should observe this with care [and] impassionately, men and women shall fast for 3 days with genuflections. But if they become polluted at the sight, 15 men shall fast for 2 weeks with genuflections, and women 8, on account of their weakmindedness. Moreover, some men have the evil custom of binding the female of the animal and bringing the male to mount her. Let no one do this; if any dare, he shall doubly repent. It is even more necessary to guard children against this sight that 20 they may not grow accustomed to evil. There are others who sell and buy the seed¹ of the ass and the horse. Now, the seller is cursed, and also the buyer. If a priest does this, he shall be barred from
* p. 55 mass; * if a monk, he shall be divested of his monastic habit and clothed in lay garments. A priest shall repent for 3 years, a monk, 25 2 years, a layman, one year. If they repeat this unheedingly, they shall be excommunicated in life and death and shall find no absolution.

¹ *axt*, used here in the sense of *sermn* « seed » (*Aṣṛjeṣn baṣaran*, meaning not included in NBHL). The canon is doubtless to be interpreted as a prohibition of stud-fees (compare the Islamic tradition forbidding the عسب الفحل « the hire that is taken for a stallion's covering » — Lane).

66. CONCERNING WEDNESDAY AND FRIDAY.

Concerning Wednesday and Friday ¹, also concerning Lent ², for they share one awful and terrible mystery : let no one dare to break [the fast] for food. If a layman eats in ignorance, he shall
 5 fast for 3 weeks; if knowingly, he shall repent for 2 years, one with rigorous fasting (*sr̥bapahut'eamb*) and one with weekly fasts (*šaba-t'apahut'eamb*). A monk [if he does this in ignorance] shall fast for 30 days, two weeks in penance; if knowingly, 3 years in penance,
 10 2 in rigorous fasting, the third [year] with four times forty days [of fasting]. If a priest [does this], he shall fast for 40 days and shall commune on the 50th; if he eats knowingly, he shall remain 3 years outside and one inside. But scholars shall examine his penance and act as they think fit. In the case of the sick who the doctors testify would die without food ³, they shall be permitted
 15 to eat until they are well, and for the breaking of the Wednesday [fast] they shall repent for 4 weeks, and [for the breaking] of the Friday [fast] 6 [weeks]. If they break one day of Lent, [they shall repent] for 10 days in Pentecost. If a sick [penitent] dies, his family shall fast [for him]. But let no one dare to * break the * p. 56
 20 Saturday and Sunday [fasts] during the holy forty days [of Lent], for that is the same thing ⁴. If anyone dares to break [it with] wine or milk because it is Sunday, a layman shall fast 6 months, a priest one year, outside in fasting. If they do this habitually, ignoring the commandment, the priest shall be barred from mass
 25 and the layman excommunicated ⁵.

67. CONCERNING THE MENSTRUATION OF WOMEN.

Menstruation is not considered an uncleanness ¹, but is [the work] of nature; for nature is wholly the creation of God and among his creatures there is nothing vile. Now the child is nourished
 30 [by the blood] in its mother's womb and [so] lives, likewise also after its birth until it is taken from the breast. Again concerning

¹ Cfr DG 445, DA 5, 338, 340. ² Cfr DG 451, DA 333. ³ Cfr DG 439a, DA 13. ⁴ Cfr DA 7. ⁵ Cfr DG 442.

¹ But cfr *Lev.*, xv, 19-24; DA 439.

the menstruation of women, know this : the nature of women accumulating monthly within them, this blood flows out of their body for seven days. While the woman is pregnant and the child lives in her womb, the mother of the child does not have this affliction, that is, the monthly flux of blood, for this is the child's 5 food in the mother's womb ; therefore it is retained during pregnancy and does not issue forth. Similarly also after birth, as long as the child is at the breast, the mother does not menstruate, for the blood rises as through a tube into the breasts of the mother and is transformed into white milk, with which the child is fed. When the 10 child is taken from the breast and there is no one to draw it from the breast, the blood returns to its previous state². Thus [when]

* p. 57 * rich women give their new-born children to nurses and they do not themselves give suck to the child, the blood flows immediately 15 in accordance with nature. If [one asks] why [the menses] recur monthly and cease on the seventh day, [the reason is as follows] : as for four seven-[day periods] the humours in nature increase in accord with the moon, as the nature of the body is accustomed to wax and wane therewith, so the body wanes for one seven- 20 day period and nature is purified. And this is the reason why the laws forbid one to approach one's wife during these days : just as farmers do not sow seed in a water-logged, muddy and humid field, that the excessive flood of water may not wash the seed from the field and render it unfertile, so the person of the woman is like the field and her husband like the farmer who sows seed. If 25 he sows at this time, the flux of blood drowns the seed, carries it out of the womb and does not permit of conception ; if it does grow the mixture of black, polluting blood corrupts its nature and gives rise to all serious diseases, that is, leprosy, smallpox, squinting, blindness, lameness, deformity, crippled hands and feet and [the 30 growth of] superfluous flesh and limbs which occur in nature [?], and insanity, [all of which afflictions are] incurable. On account of all these diseases, the laws and the prophets and apostles and vardapets

² A possible source of these biological theories is the Armenian version of the *Περὶ Φύσεως Ἀνθρώπου* by Nemeseius, bishop of Emesa, *Yatags bnut'ean mardoy*, ed. Venice, 1889, pp. 104-5, quoted by A. G. Tēr-Połosean, *Biologičakan mlk'i zargaçumə Hayastanum* [Development of biological thought in Armenia], Erevan, 1960, pp. 264-5.

forbid men to approach their wives at such times. For whoever incontinently has intercourse [in such circumstances] is responsible for these ills and is the murderer of his children. If anyone scorns the commandments of God and approaches his wife at this time, 5 he is worthy of death and is to be reckoned a harlot, * whether it * p. 58 be the man or the woman [who is responsible for this misdeed]. If the wife conceals her indisposition and does not reveal it to her husband, she shall be doubly punished and is cursed, and her husband is innocent. If the husband forces his wife against her will, 10 he is reckoned an adulterer, and the wife is innocent. At these times [the menstruous women] shall cut herself off from the ministrations of priests and monks, and shall not enter the church and shall not kiss the cross or the right hand of the priest; but if an emergency arises, [the priest] shall attend to her in the house 15 of her family. Again, it is proper to know why the blood flows after thirty days; since they both exist for our coming into being and in accordance with the nature of growth increase in strength with the help of food and reach maturity at the fifteenth year, the seed for the procreation of children and the menses for 20 the nourishment of the children clearly grow together in strength from the fifteenth to the thirtieth year, and thereafter decline and weaken until the twice-thirtieth year. At this limit it is reckoned that sterility prevails, on which account the canons forbid those over sixty to marry, since this would be not for the procreation of 25 children, but concupiscence; therefore, on the thirtieth [day] the menstrual blood diminishes and flows from the body, [and from the thirtieth year] the seed of procreation diminishes daily³.

68. CONCERNING PRIESTS WHO DO NOT PREACH¹.

[Concerning] a priest who does not preach to the people [con- 30 cerning] a chastening scourge of God which has come [upon us]: [if] he does not warn them because of sin or idleness or anger or * fear * p. 59

³ This is a rather confused « answer » to the question of « why the (menstrual) blood flows after thirty days ». The idea seems to be that thirty is a biologically significant figure.

¹ Cfr DG 164, DA 168.

or respect for persons, [it is] the same as if he through idleness neglected the mass, which is the salvation of the world, [and] he shall himself be responsible and the blood of the people shall be demanded of him.

69. CONCERNING THE WIFE OF A PRIEST.

5

This is the commandment given by God to Moses : that a chief-priest take a virgin for his wife [to be] the consort of virginity, for it is in accordance with the commandment proper for a virgin to cohabit with a virgin. Also the wives of the Hebrews, if they fornicated, were stoned by the youths. But [in the case of] the 10 wife of a priest, if she were found to be in this error, her punishment was not to be stoned in accordance with the laws, but to be consumed by fire, in order to show beforehand a sample of the Gehenna prepared [for sinners], so that her memory, like that of the Sodomites, should not die. Our Lord Jesus Christ, however, revoked the 15 sentence of the laws, and consequently the penalty is not that she be cast out, but that the sinner be called to repentance. Now, when the priesthood of Israel was transferred to the church, the laws commanded the same : the priest [is to] take one virgin [for his wife] and be content with her until the death of either 20 of them¹. If either of them should by fornication corrupt the terrible and divine mystery, he is judged doubly [severely] by God, in accordance with the laws and the gospel. Now, let the wife of a priest become acquainted with the higher mystery present within

* p. 60 her². If the wife of a priest should follow after adultery, * the priest 25 has a choice of one of two things³ : either to retain his adulterous wife and be relieved of his priesthood, or, if he values the priesthood, to dismiss from his house the adulterous wife, to keep her

¹ Cfr *Lev.*, *xxi*, 13-14 etc.; DA 524, 639, 643. ² I adds « for her name reflects (?) the honour which he has; for she is called *tiruhi* [fem. of *tēr* « lord »] and *k'ahanayuhi* [fem. of *k'ahanay* « priest »]. And the priesthood affords greater refuge [if *mecapawēn* is to be read, and not *mecapatiw* « honourable »] and is greater than kingship; for kings rule only the earth and his [*sic*] dominion is over the body alone, and not the soul, but the authority of a priest, although the priest is of the earth, is of heaven... », etc. ³ Cfr DG 514, DA 638.

apart in some place and to care for her soul and body until the day of her death.

70. CANONICAL ADVICE.

It is not proper to abandon a lunatic wife, for what God has
5 joined, let Man not put asunder; if he [the husband] leaves her,
he may not take another wife¹, for he is a wife-deserter; if he
dares to take another, he shall repent for 7 years and fully provide
for the needs of her whom he has abandoned.

71. CONCERNING A WOMAN HUNTING : IT IS WHOLLY IMPROPER.

10 It is not proper for a woman to hunt¹ or to labour in the field
or to bare herself and press the grapes; it is not in accordance
with the commandment, and if any dare [to do] this, she is anath-
ema; and one may not drink the wine made from the grapes pressed
by a woman, let alone bring it to the holy altar; and if anyone dare
15 to offer it, he is anathema and shall repent for one year. If
a layman conceals [the matter] from the priest and he offers it
to the altar in ignorance, he [the priest] shall not repent, but he
who concealed [the matter] is punished by God and shall repent
for one year. The priest is guiltless, but for the sake of purity he
20 shall remain 8 days outside.

* 72. CONCERNING THE MOTHER WHO PUTS HER CHILDREN * p. 61 IN HER OWN BED.

It is not proper for Christians to put children of more than ten
years of age in their own bed, but they are to be separated and
25 put outside [the bedroom] on their own, brothers and sisters [sepa-
rately], that they may not grow accustomed to evil.

73. CONCERNING A YOUNG PRIEST WHOSE WIFE DIES¹.

[In the case of] a young priest whose wife dies, let him not
tarry in the world, but depart immediately to a hermitage, that he

¹ Cfr DA 426; Mxit'ar Goš, *Datastanagirk'*, I, 6, is divergent.

¹ Cfr ch. 8.

¹ Cfr DA 646.

may not obtain and establish as housekeepers many women in place of the deceased wife; and all his confessants among the women he shall leave to a married priest, and he shall not acquire [any others] and shall not baptise or marry. He who dares to do this is anathema. If his wife dies [when he is] at the age of sixty, he shall not leave his church, but shall stand in purity before the Lord and shall tend the people of the Lord whom He redeemed by His blood. And his dwelling at night shall be a single room at the door of the church.

74. CONCERNING WIVES WHO INCAPACITATE¹ THEIR HUSBANDS
OUT OF SPITE. 10

There are certain filthy and vicious women who by means of satanical drugs and out of revenge or hatred or jealousy on account of other women incapacitate their husbands or paramours, disciples of an evil art, [or who] in their own wicked ineffectiveness hire heathen women and destroy and effeminise the strength of men. There are
* p. 62 other women, * revengeful and [acting] contrary to [the normal processes of] God's creation, who compound a drug with the blood of the gecko² and other filthy reptiles, putting it in a vessel and compounding a destructive drug. First they try it out on animals or on the bodies of innocent strangers, and then apply it to their husbands or paramours or others for whom they harbour spite. Now, they are no different from murderers who destroy the body of men by leprosy, smallpox and other divers diseases. Whoever in such deluded frenzy bewitch [men] shall, if they repent, remain 10 years outside in great repentance and 5 years inside and shall commune at death. But if they persevere in this evil practice, like infidels they shall not be reckoned among the Christians and shall be 25

¹ *kāpen*, lit. « bind », here « spellbind », « render impotent ». ² *k'aratawš*, *k'arat'ot'oš*, probably a gecko or some such lizard (NBHL gives the meanings « gecko, ferret, tarantula »); K's *k'arat'r* = *k'aradr* χαπαδριός « plover » is absurd. The gecko (Hebr. *ānāqāh*, thus translated in the Revised Standard Version) is mentioned as an unclean animal in *Lev.*, xi, 30, but the Arm. version has *mknak'is* « ferret » for this, following LXX γαλῆ (Vulgate *mus araneus*); Syr. has *āmaqthā* « lizard ».

considered part and parcel of the unbelievers and deprived of the viaticum.

75. CONCERNING STERILE WOMEN.

Certain women, being sterile, impute the cause to their husband
5 and go and fornicate with strangers. If such [a woman] repents
of the evil she has committed, she shall repent for 10 years in
strict virtue. Similarly [if] her [a woman's] husband, being a
eunuch, in the same way sells her virginity for the corruption
of strangers. Also some victims of ill fortune give their virgin
10 wives to tempt strangers. And there are [others] who on account
of their poverty and adversity negotiate with strangers as pimps
for their wives. Such are to be persecuted by dog and stone and
are not to be allowed into Christian gatherings, and their wives
are not to stay with them. And the priest has authority to call
15 them to repentance, and shall act as he will.

* 76. CONCERNING THOSE WHO ARE INCAPABLE OF TAKING * p. 63 [THEIR WIFE'S] VIRGINITY.

There are some who, incapable of taking the virginity of their
wife [naturally], take it with the finger of the hand or another
20 object; such are anathema and after confession shall repent for
5 years.

77. [CONCERNING WOMEN] WHO DIE IN CHILDBIRTH.

Women who die in childbirth are not to be deprived of communion.
And [in the case of] the midwife who does not watch over the
25 newborn child, if it dies owing to her unpreparedness, she is
guilty of its blood. [If] the child be doubled up within [the womb],
the midwife or other competent person must be prepared to attempt
to right the child so that the mother may not die. If the child
dies inside [the womb] and be difficult to deliver, and consequently
30 the mother comes near to dying, those competent in this work,
men or women, who feel confident, shall insert their hand and
dismember the dead child and extract it, so that the mother may

not die. If the child is alive, however, let no one dare kill it for the sake of the mother's life; let the mother die, but not the child. If anyone should kill the child for the sake of the mother, he shall repent for 10 years.

78. CONCERNING THOSE WHO PUT THEIR HAND TO AN ANIMAL 5
[TO DELIVER ITS YOUNG?]¹

If any one, man or woman, should lay hands on an animal [to deliver it of its young], he or she shall repent for 2 years and the
* p. 64 animal * shall not be a *mataṭ*², and for a time [the sinner] shall not approach the right hand of the priest without repentance; 10 but if [anyone] dares to offer the animal as *mataṭ*, he shall repent for 5 years.

79. CONCERNING COMMON THIEVES; THE RULE IS AS FOLLOWS.

There are many forms of theft : there is [that committed by those who] in pursuit of robbery wait in the hills and in the 15 narrow passes of the roads and plunder passers-by and murder many people; there are those who penetrate the walls of houses and steal whatever is in the house; there are those who dare to lay their hands upon the holy things of God; and there are those who are called petty thieves [« nibblers »] who cast their eyes about 20 and scan the surroundings on all sides, and tuck under their arm whatever they can get hold of. Now, those who are brigands living in the wilds are like bloodthirsty beasts who overpower, devour and rend to pieces; such, if they be converted and confess their sins in sackcloth and ashes, shall repent until death and shall commune 25 at death. But the scholars shall consider day by day the length of time spent in brigandage and the nature of the evil deeds they committed, and shall accordingly determine the term of their repent-

¹ In Jewish tradition « anyone who touches the foetus of one in hard travail » is a father of uncleanness (Elijah, Gaon of Vilna, *Eliyahu Rabbah*, 19 (g), tr. H. Danby, *The Mishnah*, p. 801), but this refers apparently only to human beings : cfr *Mishnah, Hullin*, 4, 3-4 : « if the young of a beast died in the dam's womb and the herdsman put in his hand and touched it he remains clean... ». ² I.e. funeral meat distributed to the poor.

ance. [In the case of] burglars who are the like of mice and moles, the scholars shall examine [the matter] as in the case of the brigands and shall do what is proper. Petty thieves, who steal small things, are like little insects³ which fall into sweet oil and other kinds of
 5 food and corrupt them and render them inedible; thus do they dishonour the commandment established by God and perform base deeds, and such may be difficult to convert to honesty. If they do not turn from evil, they are incurable, and if it is a priest, he shall be barred from the celebration of Christ's mass; * if he dare [cele- * p. 65
 10 brate it], he is anathema. In the event of their becoming honest, the scholars shall examine the case and do as they wish. Likewise for laymen : those who steal habitually shall, if they do not repent, be barred from communion and their ears of corn donated as gifts shall not be received into the church until they repent.

15 80. CONCERNING THOSE WHO LAY HANDS UPON THE HOLY
 THINGS OF GOD¹.

Those who lay hands upon things sacred to God are altar thieves and God-sellers and shall be [counted] among the Jews and the heathens, and if they repent, shall do penance in sackcloth and ashes
 20 until death. Let no one dare give to the church things thus stolen, and let no priest accept it out of avarice. If anyone dares accept it as an offering or as a gift dedicated to the church, he mocks the laws of God, and his priesthood will be reviled and despised if he persists in this. Likewise, those who pillage tombs shall do penance
 25 in zealous repentance until death.

 81. CONCERNING LOVED ONES WHO OPEN THE TOMBS
 OF THE DEAD.

[Concerning those] who out of the love which parents have for their children, or a brother for his brother, or a wife for her
 30 husband, not having been present at the time of death, in the eagerness of their love open the tomb : let no one dare to do this,

³ Lit. « reptiles ».

¹ Cfr DA 323.

for such a one is anathema; and if anyone dares to open [the tomb] and afterwards repents, he shall do penance for 5 years in hard labour.

* p. 66

* 82. CONCERNING PERJURERS.

[Concerning] true and false oaths we have no command from 5 the Lord, for He said «Swear not at all»¹, although the ancients were told not to «swear falsely»²; that is, He bade one renounce swearing altogether, either by the Creator or by His creatures, for no creature is insignificant in the eyes of God; for he who swears by the Church has sworn by Him Who dwells therein, 10 and he who [swears by] the Cross and the Altar has sworn by the offering upon it; one shall apply the rule [applicable] to apostates. But [whether the oath be] false or true is superfluous and the failing is all one as far as penance is concerned. But certain people given to jesting, facetiousness, drunkenness, fighting 15 and quarrelling pronounce the awful and august name of God in apostasy, [and] always have it in their mouth. Such, if they be converted from this habit, shall do zealous penance unto death and [shall receive] the last sacraments if they be worthy, but if [they persist] in this evil speech-habit and die unrepentant they 20 shall be barred from communion.

83. CONCERNING THOSE WHO USE VILE LANGUAGE, WHO INCUR THE WRATH OF GOD.

Concerning vile language, what may properly be said [about those] who like infidels defile their mouths? for God gave men 25 mouths to bless and glorify His holy name, for the mouth of the Christian is the servant of God, and commandments and laws are demanded of * it, and not blasphemy, for vile language is blasphemy against God. «Their throats are as open sepulchres»¹, for out of open sepulchres issues forth the pestilential smell of the dead 30 body; thus also corruption flows from their mind and heart, as the prophet says: «Mischief and iniquity are under his

* p. 67

¹ *Matth.*, v, 34. ² *Lev.*, xix, 12 etc.

¹ *Rom.*, iii, 13.

tongue, for his mouth is full of cursing and bitterness»². For men commit all manner of sins. Filthy words bring to mind all brutish and bestial things, going so far as to seize upon inanimate [objects] and exalt them to [the level of] ineffable [mysteries], wherefore the heavenly hosts are amazed at the infinite philanthropy of God, [wondering] why He does not kindle the furnace of His wrath on account of such wicked words and scatter them over the face of the earth and consume all the plants of the earth and burn it to the very foundations of the mountains and plunge it³ into inner Hell; but God does not wish the death of the sinner⁴, but his conversion and life. Now, the user of vile language is an accomplice to all the sins which men commit, for he reminds one of all evils, for which reason [this sin] is called [in Armenian] *yišoc*⁵. It is not proper to make such worthy of communion in life or death, but on account of the philanthropy of God, after severe penance, they shall commune at the end of their lives.

* 84. CONCERNING THOSE WHO DEPISE PRIESTS.

* p. 68

He who despises the priest or becomes his enemy or strikes him is reckoned among the crucifiers who [crucified] the Atoner of Sins and the Liberator from Hell, the true Archpriest Christ, who assumed the Cross for our sakes, and who repaid His good with evil. Now, the priest bears in his person the whole image of the good things of Christ for the salvation of the people. For it is he who marries [one] in the mystery of Christ and the Church, who baptises and illuminates by the Holy Ghost; it is he who gives communion by the bread of life; it is he who by the Cross and the grace of the Gospel and spiritual hymns leads one to hope of life eternal. And he is for all of us in this transitory life the agent

² Ps. x, 7. For *berank' noca* «their mouths» of the text the normal Arm. Version has *beran nora* «his mouth», following LXX τὸ στόμα αὐτοῦ (Hebr. *pīhū*). Since the normal order of the phrases is here reversed and two words (*ew nengut'eamb* «and fraud») are missing, the vardapet is probably quoting from memory. ³ I adds «as it deserves». ⁴ Death is the punishment prescribed for blasphemy by *Lev.*, xxiv, 16, followed by *Mxit'ar Goš*, I, 38; cfr DA 99, 100. ⁵ A reference to *yišem*, *yišum aṛnel* «to remind».

of Salvation; he requests God for the temperance of the weather, the abundance of fruits and the recovery of all the sick from divers ills. And through the prayers and redeeming mysteries which are performed by him peace comes to travellers and mariners. Now, how can they be ungrateful, they who ill repay their indebtedness 5 for all these good things? Now, let no one harbour enmity towards a priest, for God is the avenger of this lack of respect, for He says : « Vengeance is mine : I will repay » ¹. He exacted vengeance for Moses and Aaron from the house of Korah, Dathan and Abiram, for fire flamed and the earth opened and swallowed them up ². 10

* p. 69 * For whosoever despises the priest, God despises. As Our Lord said to the disciples : « He that despiseth you despiseth me » ³. Now, he who is the enemy of the priest despises God, and may his memory perish for ever.

Now, as the commandment is for the priests ⁴, so it is for parents 15 also ⁵, for they also are called second gods, since they are collaborators in God's creation and our coming into existence [and their functions are] like [those of] a husbandman and the earth. For the husbandman sows, and the earth receives the seed, and the watering [thereof is performed by] the husbandman, which gives 20 strength to the germinating seed, and brings forth and gives birth to the plant, and God makes it to grow and brings it to maturity. In like way the father sows and the mother receives [the seed] within her and by the same natural process gives strength and 25 feeling to the child and implants living breath within it and carries it for a year, and with breaking limbs and trembling heart and terrified by the pangs of death she labours and gives birth to the child. But God alone brings it into existence and makes it grow, [aided] by the collaboration of the parents in 30 the nourishment and protection of the child. Like God, they are the cause of all our lives. Now, by reason of these things, parents are worthy, like God, of honour and love; as God says, « Honour thy father and mother » ⁶. For if He put love for one's neighbour second to love of Himself ⁷, then it is evident that you must place

¹ *Rom.*, XII, 19. ² Cfr *Num.*, XVI, 32-35. ³ *Luc.*, X, 16. ⁴ I « as the priest is honourable ». ⁵ Cfr DA 305. ⁶ *Ex.*, XX, 12; *Matth.*, XIX, 19. ⁷ Cfr *Matth.*, XXIII, 37-39.

love for [your] parents before [love] for yourself; therefore it is demonstrated that parents are coupled with God and are to be honoured like God.

* 85. CONCERNING THOSE WHO MOURN FOR THE DEAD ¹. * p. 70

5 Know thus, that our carefree life in the Garden was of short duration and the days [spent there] by the first-created few in number, and after the breaking of the commandment judgment, death, corruption and hell [came], whereby grief and sorrow were mixed in our natures. And there was not only the breaking of
10 the commandment concerning the fruit, but the commission of various and manifold sins which grew therefrom as from leaven, whereby death seized and ruled over us. With this, grief and sorrow and all manner of afflictions took possession of us, as the Patriarch [Abraham] says : « I am a stranger and a sojourner
15 among you » ². And David says : « Woe that my exile has been long » ³ and « My wounds stink and are corrupt because of [my foolishness] », like the first-created in the Garden, « wherefore I am troubled and bowed down greatly » ⁴. On account of which he says « I am poor and needy, God, help me » ⁵. And another
20 prophet with three [cries of] « Woe » ⁶ addressed to his afflictions laments the wretchedness of [human] nature. And Job, seeing this and made wise by his trials, cursed the day of his birth from Eve. Now, on account of these things, all the generations of Adam are full of tears and beset with sorrow, because of birth and
25 death, down to Him who visited us as a sun from on high to illumine the darkness of our minds, to shine and take away every tear from every face <and by freeing us to receive us again into the honour of sonship of the Father and * in joy * p. 71
30 death no longer reigns, nor pain nor sorrow nor lamentation. And this God's promise of life and immortality is assured for us, for the ancients wept hopelessly for the dead for thirty days in accordance with the thirty years of age of Adam [from

¹ Cfr DA 316-322. ² *Gen.*, xxiii, 4. ³ *Ps.* cxix, 5. ⁴ *Ps.* xxxvii, 6-7. The middle phrase seems to be Dawit's own interpolation. ⁵ *Ps.* lxix, 6. ⁶ *Joel*, i, 15.

the time] of his creation, when he fell into death and passed into hell. But Our Lord Jesus Christ, who is the Resurrection and Life for the departed and with His life-giving voice summons them from hell, as He summoned Lazarus in Bethany, [saying] «Come forth»⁷; and the dead man rose with all his graveclothes.⁵ And there He placed a limit upon mourning, for He wept⁸ only, and loudly rebuked excess, and set the limit, [namely], that you shall go so far and no further. Now, he whose mourning is in excess of weeping, above all he who shaves his hair or beats his brow or rends his garments, has no hope of life eternal. But¹⁰ if anyone does this in ignorance once and afterwards repents, he shall fast for 40 days, with 50 genuflexions. But if he pays no heed and does this two or three times without listening [to the priest], he shall fast for a year with 100 genuflexions. But if he like a heathen scorns and tramples upon the commandment, indif-¹⁵ ferent [?] ⁹ to the rebuke and opposition of the priest, the rule concerning anathema applies to him, [and] such are cursed in life and death. If they are not converted, they shall be deprived of the viaticum; their lot is one with that of the unbelievers and they shall be cast into their grave. But if anyone repents in his lifetime, he²⁰ shall do penance unto death and shall commune at death. If he remains unrepentant, [by] the whole covenant which Christians

* p. 72 fulfil, let no * priest receive him into the church, nor administer communion to that man, neither at death nor in life. Then if [he will] not [repent], he is the associate of heathen hopelessness, let²⁵ him be barred from the holy sacrament.

86. CONCERNING THOSE WHO ACCEPT EXORBITANT PROFITS AND INTEREST¹.

As vile language is a reminder of all sins and he who uses it the associate of all sinners, so likewise is the lender (and the borrower)³⁰ upon usury the accomplice of all brigands who rob in the hills and

⁷ *Joh.*, xi, 43. ⁸ The passage between <> is taken by Abrahamean from Ejmiacin MS No. 839 and is omitted by MS No. 5607. It is contained in F.

⁹ *čaylatrakeal F -artak-*.

¹ Cfr DG 189, 214-219.

burglars and petty thieves and all those who impoverish and ruin men, for by nature they are human beings, but through their evil habits they are wild beasts, not men. For they contrive to give gold, which is by nature sterile, and demand that it multiply by interest, 5 which is more wicked than seizing [its] fruits by force; this is of Satan, who taught men to be usurers, thieves, brigands and bandits. Let no Christian do this, for your work is that of gods. If anyone does this and repents, he shall repay his extortion fourfold, and shall incur the penance [prescribed] for thieves and robbers, and shall 10 then commune².

* 87. CONCERNING THOSE WHO MAKE A COVENANT AND BREAK IT. * p. 73

Any man who makes a covenant to give donations to God, the Church and the poor and out of avarice is false [to his oath], such a man robs God. He who has taken an oath and does not fulfil 15 it is the accomplice of apostates, for it is written : « Make vows and fulfil them »¹. Now, whoever has vowed an animal to God, let him not delay and procrastinate in the fulfilment [of his vow], that an accident may not prevent [its fulfilment]; it is proper to offer it at the very time of promising it.

20 88. [CONCERNING THOSE] WHO DO NOT GIVE THE FRUITS [DUE] TO THE CHURCH.

The fruits which one shall give are not prescribed by Man but by God, for in the laws God commanded Moses, saying « Command

2 After « wild beasts, not men » HF differ from Abr. and agree to a large extent among themselves. Both texts are corrupt and need amendment; F has some lacunae and only H will be translated here : « Now they have abstained from giving for nothing [reading *i zur taloy* for H *i hrtaloy* F *i hur taloy*] and at par and receiving the same back; and [they are wont] first to make a loan and to receive the same amount back as often as they can contrive to do so. Love of gain is of Satan, teaching men [to be] thieves, brigands and bandits; but this is the simple, honest and godly life : accept that which you need in moderation and equitably from your fellow, and give to him that which he needs in the same measure. For the usurers the text concerning the penance incurred by thieves and robbers shall be applied ».

¹ Ps. LXXV, 12.

all the tribes of Israel to give a tenth part of all the booty taken from the infidels and of all acquisitions and of all the works of their hands and of the wages for their labour to the house of the Lord »¹. And that which [was given] on account of sins in the form of burnt offerings and sacrifices, and that which [was given as] 5 offerings for thanksgiving, all this was given generously to the house of the Lord. And he who is sparing and niggardly shall receive punishment of death. On account of this Cain was reviled, for he offered paltry things to God; and Abel was honoured, for he brought the firstlings and their fat portions to God. And on 10 this account Esau was hated and Jacob loved And lo! the curses from the house of Cain and Esau have not died out for ever. Now, let * no one dare reduce the fruit [due] to the Church or give a niggardly amount², that he may not be cursed and condemned like Cain.

15

89. CONCERNING THOSE WHO ON A FEASTDAY OR SUNDAY
NOT GO THE DOOR OF THE CHURCH.

If on a feastday or on a Sunday or Saturday a Christian should not go to the door of the church and listen to the word of the gospel, he is in accordance with the canonical com- 20 mands one with the crucifiers, for they did not hear on a great feastday the voice of the Redeemer who has the good news from the Father in His mouth for us and the request for their forgiveness which on their account He implored from the Father; accordingly the protomartyr Stephen, on the same great feast, saw, 25 as the heavens opened, the Son of Man at the right hand of God¹, whence he received adoption; but those who stoned the servant [of God] are like the crucifiers of the Lord : they stop their ears, that they might not hear the lifegiving voice from Heaven. Thus are they also who do not listen on Sunday and Saturday to the words of the 30 gospel, and these, apart from the sick and crippled and those on an essential journey, are counted among them [the crucifiers].

¹ Cfr *Lev.*, xxvii, 30, *Num.*, xviii, 25-26, but this is not a direct quotation from Scripture. ² Cfr DA 544.

¹ *Act.*, vii, 55-56.

Similarly, let not those healthy in body and of mature age eat before the celebration of the mass, [otherwise] they shall suffer the same penalty as the crucifers, who explain «I am innocent»², Lo, I have spoken.

- 5 90. A QUESTION FROM THE SAME PRIEST CONCERNING THE
THREE ENCAENIA DURING WHICH THERE IS NO EATING OF MEAT.

Answer : the feasts of the encaenia which * the Church celebrates * p. 75
are considered superior to every other feast and more godly, because
all the days of the Lord's feasts are called encaenia, since *nawakatik'*
10 is to be translated as «renewal», or a feast of joy. Because the
decay of all the generations of mankind results from the trespass
of Adam whereby death entered the world, and corruption, whereby
our nature grew old, therefore the Creator of this nature did
not completely ignore His fallen image, buried in mire, but came
15 at the request of His decayed image, a debased coin, and restored
it to the pristine glory in which He created it. Now, thus does
the Church celebrate the day of its renewal and celebrate the
encaenia of its salvation. Concerning the abstinence from meat
on these three days, that is, *Čragaloyç*, the Transfiguration,
20 and the Cross, when we do not partake of meat¹, except on
the morrow, that is, the days of Epiphany, the Resurrection and
the Transfiguration : now, these three feasts are honoured by three
fifty-day periods preceding them in the purity and holiness of
fasts, just as Moses by a five-day fast made himself worthy of

² *Matth.*, xxvii, 24.

¹ Cfr DG 440, 448, 449, DA 15. *Čragaloyç* is apparently represented here as one day, whereas it is clear from the immediate and subsequent mention of Epiphany and the Resurrection that it must refer, as nowadays, to the two *nawakatik'* « encaenia » of the eves of Epiphany and Easter. There are five *nawakatik'* in the Armenian Church (in the sense of fast-days when meat is prohibited but fish and lacticinia allowed) preceding each of the « Tabernacles », i.e. Epiphany, Easter, Transfiguration, Assumption, and Exaltation of the Cross (see ORMANEAN, *Cisakan bařaran*, pp. 49-50). The *nawakatik'* of the Assumption is not mentioned here at all, and although one could properly add [and the Exaltation of the Cross] after *Transfiguration* at the end of this sentence, there is no subsequent mention of this feast in the chapter, which insists upon the figure *three*.

the divine vision on Mount Sinai. Therefore we also, in accordance with the superiority of Christ over Moses, after fifty days preparatory purifications partake in these feasts. We do not join our voices² and commune in a mere shadow of the mystery alone, but in the divine nature, which is united in the body and intimately communicated to us as kinsmen. Now, He is the innocent lamb Who by His death of the Cross can take away the sins of the world. And it is proper during three fifty-day periods to purify oneself by prayers, fasts and prostration. Likewise, we have accepted the

* p. 76 command to abstain from eating not * only on the Çragaloyç and 10 the Saturday, but also properly during the fifty days which precede the feasts³. For it is an apostolic command to sacrifice a lamb on these three days as a symbol of the innocent lamb which is offered on the sin-atonement altar for the salvation of the world. Now, they who are unprepared for fasting⁴ shall first 15 eat of the mystical, lawful, animal⁵ lamb and then revert to physical nourishment. There are certain ignorant priests who for the Lenten fasts prescribe the consumption of the meat of the *matał*⁶ and abstinence from [all] other [meat], the which does not please the wise, for the meat of the *matał* and ordinary meat is 20 all one for the satisfaction and preservation of the body; wherefore let no one, apart from the sick, whom the ordinances exempt⁷, eat of any meat. Now, let no one healthy in body and of adult age eat meat during these three carenes⁸ before Epiphany, Easter and the Transfiguration, for the carene exemplifies the [way of] 25 life of Adam in the Garden, for they say that he lived frugally in the Garden⁹ and that there was no eating of meat or drinking of wine there, and he received the command to eat freely of the fruit, except of [that of] one tree, for the sake of testing him.

2 Reading *jaynakcut'eamb* for Abr. *jaynakcut'ean*, FH *jaynakcut'e[an]en*.

3 Cfr DA 235, prescribing one week of fasting before each of the Lord's feasts. 4 *anpatrastk' linin kenawk'*, lit. «are unprepared by life», i.e. are too young, too old or sick. 5 ? *anban*. 6 Cfr ch. 78, n. 2. 7 Cfr

DG 439a. 8 *k'ařasunk'*, periods of 40-day fasts, probably used here in a loose sense, like French *carême*. 9 Thus, reading *k'anzi ĉap'awor asen linel nma i draxtin* for Abr. *k'anzi ays ĉap'awors asen...*; F reads *k'anzi yayĉap' awurs asen linel nma...*, i.e. «for they say he spent so many days [40 years] in the Garden», but ch. 85 represents Adam as spending *thirty* years in the Garden before the Fall.

91. CONCERNING THOSE WHO MAKE A VOW OF CHASTITY
AND DO NOT KEEP IT¹.

Whoever has promised before the priests and the church to be a monk or to remain a virgin and takes a wife, he is one with the
5 apostates², and shall repent for 5 years with heavy labours, and shall then commune.

* 92. [CONCERNING THOSE] WHO MARRY SMALL CHILDREN. * p. 77

[Concerning] small children¹, let no priest agree to place the crown of marriage upon them until the age of twelve, when they
10 know their right hand from their left hand; then is it proper to marry them; if out of shame or fear or for a bribe or vainglorious folly a priest should marry [children] of less than ten years old, he shall be anathema and deposed from his orders. Also, let no one dare to marry a bridegroom or bride without confession.
15 If any priest dare [to do this], he shall be deposed². Again, male and female children weaned on the milk of one mother shall not be joined together, for by virtue of having been suckled at one breast, they have become as one³.

93. CONCERNING THOSE WHO SEE THE CROSS IN THE
20 POSSESSION OF INFIDELS AND PAY NO HEED.

Let no one unconcernedly ignore a cross in the possession of infidels, but let him buy it as [at the price at which] they sell it. If any should scornfully pay no heed [to this command], he shall incur the penalty of the apostates. Let not Christians grow accus-
25 tomed do selling and buying [crosses], for it is a sign of unbelief to cheapen the ineffable mystery of the Cross.

¹ Cfr DG 104, 469, 470; DA 120-123; DA 122 (St. Gregory) prescribes seven years penance. ² Cfr DA 346, in which they are counted as bigamists.

¹ Cfr DA 380, 382-384, 407. ² Cfr DA 390. ³ Cfr DA 394.

94. CONCERNING THE FLESH OF THE HARE AND CARRION.

Concerning the dispute about the flesh of the hare¹ and carrion, this is the answer :

* p. 78 * There is no distinction between carrion and the flesh of the hare, for they are the same as far as uncleanness is concerned. If 5 anyone in ignorance eats of them, he shall fast for a period of 40 days in penance²; if [he did so] knowingly, he shall repent for 2 years. If a priest eats of them, he shall remain outside for 60 days and shall then commune; but if he ate [of them] knowingly, he shall repent for 7 years and remain outside. 10

But they are sowers of discord who rend and divide the unity of the church into evil sect[s] of heretics, and everyone else who casts a slanderous word into the harmony existing between brothers and loving friends, and causes irreconcilable war and confusion 15 between them, for the first inventor of discord was Satan, who caused dissension between Adam and God and cut off and divided from Him the progeny of Adam. And all these evils which this word of mine will enumerate and demonstrate entered the world with this discord, whereby men were made slaves of these passions : cunning, slander, cupidity, malevolence, extortion, sodomy, calumny, debauch- 20 ery, drunkenness³, robbery, fornication, revenge, mendacity, adultery, cruelty, perjury, bloodshed, and bestiality. And they who have no hope of resurrection weep in hopelessness for the dead. And whatever other unlimited misfortunes are of the evil one entered the world by his temptation, whereby the progeny of Adam 25 were divided and disunited amid such evils which Satan sowed

* p. 79 like tares upon good * seed. Therefore the sower of discord is like unto Satan and the accomplice of all his iniquities, and shall with him inherit the punishment promised to him by God.

95. CONCERNING VARIOUS METHODS OF DIVINATION AND EVIL 30
CUSTOM[S]¹.

There is another evil custom which Satan taught and whereby he estranged mankind from true knowledge. He is the beginning of

¹ Cfr *Lev.*, XI, 6. ² *kargaout'eamb.* ³ F gluttony.

¹ Cfr *Lev.*, XIX, 26, 31; DA 44-46.

witchcraft and sorcery, [the practisers of] which are akin to the Manichaeans and Valentinians and the ministers and disciples of their wicked sects. And they are conversers with Satan and invokers of *devs*, and they have given various names to the *devs*. In manifestation and visions they come to them, even promise them aid and make them believe that they themselves have power from God. Deprived of the grace of the Holy Ghost men put their trust in Satan as it were in the power of God, and they put their trust in his cupbearers, i.e. the *devs*, as it were in the holy angels of God.

For the *devs* of darkness assume the shape of angels and delude the witless. They also coin strange and divers names for each other, and their princes and chiefs name them in the name [?] of Gabriel and Michael, as if they were the chiefs and princes of all the angels². Witless men are persuaded to believe in Satan * as in God, and in the * p. 80

devs as in the angels of God, and in the names by which they call themselves as in the names of the angels. And thus evil-minded men by familiarity with the *devs* attach themselves to them and learn their dark mysteries, to the perdition of their souls. And they have developed the wicked lore which they learned from Satan and made them their disciples. And they become as they are, deprived of the grace of baptism, and become dwellings for the *devs* from which they will never depart, and following the teaching of the *devs* they write those names and mix among them the names of the angels and the saints of God, the apostles and prophets. And they devise many other soul-destroying texts which estrange them from God, and write them on parchment together with those names and passages from the gospel of Christ. And they write them jumbled together so that with the Word of Life one might more readily receive the death-bearing words. And writing these things on parchment, they roll them up and seal them with the Lord's Cross, so that one should think them to be of God, and they put them in a box. And they bind them on the arms and around the necks of their children and animals, horses, oxen and sheep, and call them phylacteries (*pahapank*³)³. Also they make passes with the hand over their young children, and say « Let there be no pain in their bodies ». And they rub the spittle of their mouths on them

² Cfr DG 35.³ Cfr DG 33.

with their hand, and say « The evil eye is upon him, he has become sick, may he not attract the evil eye ». And wicked old crones yawn and stretch round the sick child; and they cast sparks into water and give it to children and other sick persons to drink, in order [to see] whether they have been the victim ⁵ of the evil eye or not. Also, they melt lead and cast it into

* p. 81 water in a vessel and place it upon people's chests, * saying that it is a cure for palpitations and toothache. In remote places they cut roots of plants and stuff them in pear trees and other bushes around the room, and say that it is a cure for fever. At births they ¹⁰ perform many auguries; also when they remove a corpse from the house, and at weddings, [they draw] auguries concerning the route. And [they do the same] when one goes before the elders, and when the wine is pressed and bottled, and at business transactions, and when clothes are being cut, and at slaughterings, and funerals, ¹⁵ and when things are taken from vessels, and for hunting expeditions, and also for dyeing and weaving [operations] and all manner of crafts. And when any one asks for water in the night, they pass a knife with three rivets through it and then give it him to drink. Also, they forbid [anyone] to give a sieve to a person who asks ²⁰ for it towards evening, or fire likewise. And on the fifth of the intercalary days they forbid one to give anything to anyone who asks. And when the New Year comes, they cast iron into a pitcher and draw a circle round the dwelling, and on the morrow ²⁵ send the girls to turn over the rocks and to open them and look inside; if a white hair be found, they say that she has met her fate and shall marry a greyheard; if a black hair be found, they say she has met her fate and shall be given to a young man. Also, if a cock crow towards evening, they draw auguries, and if the call of the crowing come from the woods, they cut off its head⁴. And ³⁰ at the beginning of the year all the craftsmen seek auguries in their crafts. The blacksmith beats the anvil with his hammer, the weaver [spinner?] draws a thread from the bobbin and strikes it three times with his comb, draws the thread onto the

* p. 82 distaff and winds it round the spindle. They even * introduce many ³⁵ acts of divination into the annual feasts and church offerings. Also

⁴ H adds « and draw auguries ».

when the rattle sounds [to call men to church], they draw auguries from the time, and on their own and strangers' entering and leaving through the door of the house. And when clothes are washed or the heads of men and women they draw auguries⁵ And
 5 the chief of these acts of sorcery is divination by grains⁶. Now, all these counsels of evil and satanical works of corruption destroy the souls of men, [constituting] rejection of [orthodox] traditions concerning the Godhead and estrangement from true knowledge of Him. Now, if any one should have believed in such evil practices
 10 and learnt them and taught them, he has clearly abandoned God, renounced the true tradition and keeps company with Satan.

Let no man or woman, called a Christian, dare to indulge in such evil practices, and let them not dare go to those of the infidels and Christians who perform them and consult wizards and witches,
 15 hydromancers, crithomancers and other diviners upon any essential matters⁷, [that is to those] who make one imagine that they possess knowledge which they do not in fact possess, and who are of no use whatever, except to alienate men from God. Now, if any one has indulged in these evil customs, he shall do penance unto
 20 death and shall be worthy of the viaticum⁸. If any one has done it once in ignorance or consulted them, he shall repent for one year; if twice, two years, and if three times, three years, [and so on] until * the seventh time, whereafter he is one with those who * p. 83
 scorn the commandments of God and shall be considered, together

⁵ Only I makes immediate sense : « they draw auguries also from worm-keeping and silk-drawing [i.e. while reeling off the silk] ». The reading of AbrF makes no sense to me, for although the flight of the *խորդն* « crane » could be used for the purposes of divination, it is difficult to fit this word in with the rest of the sentence. I have in my uncertainty preferred to leave the readings of AbrF in the text rather than substitute that of I, although this suggests a possible amendment to *Հմայեն և [ղ]որդ[ա]ն ապահանու-թիւնն յապրշաքարշ[իւն]* *hmayen ew [z]ord[a]n apakanutiwnn yapršma-k'ars[in]* « they draw auguries also from the destruction of the [silk-]worm during the process of reeling off the silk »; this would imply a misreading of *և ew* as *խ x*. The auguries were possibly drawn from the shapes assumed by the cocoons when they were plunged into boiling water. ⁶ For a modern representation of this ancient method of divination, see Y. T'umanean's poem *Anuš*, sects. 10.11. ⁷ Cfr DG 34, *Lev.*, xix, 26-31. ⁸ DA 48, 49 prescribe fines.

with his whole household, one with the unbelievers. If he comes to repent, he shall do penance unto death, but scholars may take his age and the [length of] time into consideration and shall judge him according to his merits.

96. AGAIN [A RULING] BY THE SAME DAWIT', EXCELLENT 5
VARDAPET, CONCERNING A MAN FALLEN FROM A TREE.

If it happens that a man falls from a tree and dies, or hangs from the tree and is strangled, the plants are in no wise sinful, for they are inanimate and insentient and in no way the cause of the death of those to whom such a thing should occur. But if 10 one acts in accordance with the laws of Moses, through whom God gave his commands concerning animals¹, then if one of them should become the vessel of the abomination of the soul and body of those given to bestiality one should not drink its milk — if it is of that family of animals — and it should be stoned to death and 15 its flesh given to the dogs. Likewise, if stags gore a man and he dies they shall be slain and not eaten². This is not because they are sinful, but because they have become the instruments of those guilty of the sins of abomination and murder. If one acts in accordance with this principle, one shall cut down the plant in order that its 20 fruit shall not be eaten, but if it grows again from the root and comes to maturity, one may eat of it without discrimination, just as those born of the animal are not to be discriminated against. Also if a stone falls from a church and kills a man, the church is blameless, and one shall offer mass therein, as God will, notwith- 25 standing.

* p. 84 * 97. CONCERNING EVIL PRIMATES (*ařajnordk'*) AND PRIESTS.

Such is the honour [paid] to holiness by the dwellers in heaven and on earth; and the dwellers in hell have given evidence that they are the inventors and perpetrators of evil and hinder the 30 good works of holiness.

But lo, I behold in our own time and place certain of the vilest and meanest of these, who are to be counted as abortions and are

¹ *Lev.*, xi, 1-47. ² *Cfr Ex.*, xxi, 28.

not worthy of mention, who by their doctrines have become the disciples of Satan and versed in a new and extravagant teaching. I do not use «new» as the synonym of «evil» when I say that there are inventors, but [I refer to] the legislation of those who have
 5 put it in writing and established it on parchment that it might remain an everlasting reminder of their shame and as a curse on their souls, as those [have done] who have come [lit. stood] and gone and have left the memory of their evil [behind them] for ever, having striven for the perdition of [other] souls and the error
 10 of the witless. And they are the image of evil, they who followed their laws and who contrived satanical accusations devoid of canonical authority and inflicted various penalties upon husbands and wives married by the Cross and consecrated by the sacraments and separated them one from the other. And for another vicious, lustful
 15 and lewd man, who had cast his eyes upon a wife, they separated her from her husband and gave her to those who had blinded their eyes with a large bribe.

And I see other greater evils with which they have filled the land of the Albanians, for he who has become a widower for the
 20 third time, and the fourth time, even for the fifth time, has not been discriminated against * by them¹. They have written down and * p. 85 placed largely under themselves to the end of their lives all those also who were in the towns, villages and hamlets. For they have kindled the fire of Sodom, which has flared up and spread among
 25 all those who dwell in the hills and plains and has devoured the souls of many in giving rise to the corrupting vices of fornication. And they entered each and everyone with a number in a book, and as was fitting, they received their errors into their own persons². The tribute which they imposed was in some cases a
 30 linen [garment], sometimes two dahekans or three³. And all these months of journeying round the cantons [one can deduce] from the document in which with evil writing they indicated the evildoers by name. And the tribute of each one, [at the rate] at which they had assessed him, they demanded from him⁴. And no one could hide

1 Cfr DG 689, 691, 692; DA 527-530. 2 I.e. «they took their sins upon themselves» [in return for «tribute» = ? commutation of penance]. Thus, reading *zmolorut'iwns noça* for *molorut'eaneç noça*. 3 Cfr DA 357. 4 Cfr DG 779.

before them, for there are certain agents of the Antichrist, called [falsely] churchmen, but assassins of laymen, whom [their leader] discovered and banded together as the ministers and servants of his evil designs, who were set above the erring and [who] exacted [the tribute] with severity. But they, because of 5 their vice, considered it nothing, and willingly paid the tribute, and they gave them some *almnawor* name⁵. And wherever they went into the dwelling place of the Holy Cross, they addressed the people and by this cajolery called upon those sitting with him [their leader?], whom he had summoned to kiss the Holy Cross 10 and his right hand, to honour and respect them. Also, if any of them who had reached old age refused [to pay], they made him despair of the long period of his sins, and said « You cannot become righteous in your old age ». And thus encouraging them to per-

* p. 86 sist * in their sins, they ensured their refusal to confess and 15 they descended irrevocably into Hell. And if any young man repented and gave thought to his salvation, or if he were encouraged to right-thinking by other godly men, and if separated [couples came to] love each other [again] [?], their evil ministers would turn them back to the same [state as before] by persuasion or threats. And if 20 [the man] would not listen to them and was converted from his evil deeds, they still exacted the tribute he had paid. And they appealed: the wife would say « I have no lover », and the husband would say « I have no mistress ». And they would not listen. And they would resentfully suppress their conscience and return to the same evil. 25 Whence many evils arose: evil intentions against one another, wrath, dispute, hatred, deceit, disobedience, treachery, theft, robbery, plunder, separation of man and wife, dispersion of children, the seizure of possessions, the destruction of houses, exile from the fatherland, much summoning before judges and courts. Whence 30 anger, whence lamentation and sorrow, and blasphemy, and violence, and murder, even division in the faith, and also much incontinence. All this, and every other wickedness, multiplied therefrom and filled the earth. And the inventors⁶ and perpetrators of these evils,

⁵ Or some such name as *al*. [?]
⁶ The text has *ḡṡṡḡḡ psakk* « crowns », which I have hesitantly amended to *ḡṡṡḡḡ gtakk* « inventors » (cfr reference to *ḡṡḡḡḡ ḡtič* « inventors » at the beginning of this chapter).

so-called pastors and primates who pervert the faith of the holy church, like savage wolves attacking a flock slaughter (members) of the flock of Christ and cast them down, delivering them into the corruption of sin. And thus they cut off and severed
 5 members of Christ who were made by apostolic teaching [and] by rebirth in the [holy] font body of His body and bone of His bone * and made them the slaves of sin and associates [lit. members] * p. 87 of the sin of the whore. And there is not one of them who knows and not one who realizes that his soul is ruined by those men,
 10 for they were all perverted together and became worthless. Lo, the pastors have become wolves, and the flock as cruel as its pastor; they do not know the Lord and do not seek [to know] that there is a God in Israel. Now, all this re-examination and theorising of intelligent men is merely agitation of the mind and labour of the soul and
 15 breaking of the heart and exhaustion of the body and is of no use, but is all self-torment.

Now, may the Lord visit His erring flock and gather together those that have strayed and again count them among the first who stood and remained firm on the true rock of faith. And may He
 20 demand the blood of His flock from the guilty. Therefore may He choose another pastor and primate to do His will and set him over His flock, that instead of rending and dividing, he may gather it together and unite it, and may not become a wolf unto the flock, and when he see the wolves, may not abandon his sheep and flee,
 25 taking no care of them, but may be a good shepherd, who will not only put the wolves to flight, and vigilantly oppose robbers and control the hired men, but above all will place himself over his sheep. And other sheep also, which are not of this fold, he will know how to lead them to and establish them in this
 30 fold, and to bring about one flock and one shepherd, all together under the authority of the True Shepherd. And may he be a good and faithful servant and obey the word [which says] « Enter into the joy of thy lord »⁷ and « Have thou authority * over ten * p. 88 cities »⁸. And this economy is not evident to us but is evident
 35 to the Lord God alone and to those who meditate upon the Lord and spiritually seek what is His.

⁷ *Matth.*, xxv, 23. ⁸ *Luc.*, xix, 17.

Now, confessing the weakness [and] ignorance of our own person, let us entrust all that is ours to Him, Who is of the same essence as the Father and equally glorious and the cooperator of the same [Holy] Spirit, which seeks the depths of God, Who is three persons and one godhead, to Whom honour for ever, amen ⁹.

5

⁹ The Armenian text of this tailpiece needs extensive emendation to give any sense.

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